

tary, praying for legislation granting pensions to the survivors of the various Indian wars, and asking support of H. R. 27832; to the Committee on Pensions.

By Mr. SIMS: Paper to accompany bill for relief of John J. Bateman; to the Committee on Invalid Pensions.

Also, papers to accompany bills for relief of George P. Chambers, Frank M. Wells, and John N. Falls; to the Committee on Pensions.

Also, paper to accompany bill for relief of John R. Lewis; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of John W. Scott; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: Petition of citizens of Ellenton, Fla., favoring a parcels-post act; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of Frank Kline-Stewart Co., favoring Gardner bill, H. R. 12000; to the Committee on Labor.

By Mr. TOU VELLE: Petition of rural carriers of Fort Recovery, for a parcels-post law and increase of carriers' salaries; to the Committee on the Post Office and Post Roads.

By Mr. VREELAND: Petition of C. E. Welch and others, of Dunkirk, N. Y., for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, December 13, 1910.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Lodge and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by W. J. Browning, its Chief Clerk, announced that the House had passed the bill (H. R. 22842) providing for taxation of and fixing the rate of taxation on inheritances, devises, bequests, legacies, and gifts in the District of Columbia, and providing for the manner of payment as well as enforcing payment thereof, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House has signed the enrolled bill (S. 7539) for the relief of Aaron Cornish, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. NELSON presented petitions of Kettle River Lodge, No. 334, of Sandstone; of Roosevelt Lodge, No. 1523, of Bemidji; and of Goar Lodge, No. 230, of Bertha, all of the Modern Brotherhood of America, in the State of Minnesota, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Monday Club of Northfield, Minn., and a petition of the Tourist Club of Rochester, Minn., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which were referred to the Committee on Agriculture and Forestry.

Mr. CULLOM presented petitions of Linnwood Camp, No. 13, of Metropolis; of Local Camp No. 80, of Springfield, Woodmen of the World; of Local Lodge No. 2123, of Elgin; of Local Lodge No. 2099, of Dongola; and of Local Lodge No. 2139, of Fordyce, Modern Brotherhood of America, all in the State of Illinois, praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mails as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens and business firms of Dongola, Litchfield, and Chicago, all in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Merchants and Business Men's Association of Rockford, Ill., and a petition of the Portland Commercial Association, of Oglesby, Ill., praying for the repeal of the present oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

Mr. SUTHERLAND presented a petition of Local Lodge No. 1451, Modern Brotherhood of America, of Salt Lake City,

Utah, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens and business firms of Logan, Utah, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. GAMBLE presented petitions of Park Lodge, No. 725, of Spearfish; of Local Lodge No. 599, of Madison; of Local Lodge No. 2405, of Murdo; and of James Valley Lodge, No. 559, of Huron, all of the Modern Brotherhood of America, in the State of South Dakota, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mails as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. WETMORE presented a petition of the Thimble Club, of Providence, R. I., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

Mr. FLINT presented a memorial of the Chamber of Commerce of Santa Barbara, Cal., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Silver Star Lodge, No. 846, of Los Angeles; of Bay View Lodge, No. 793, of San Pedro; and of Local Lodge No. 952, of Whittier, all of the Modern Brotherhood of America, in the State of California, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of southern California, praying for the enactment of legislation granting to commissioned Army nurses of the Civil War the same age pension as is granted to veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented a petition of the Humboldt Chamber of Commerce, of Eureka, Cal., praying for the adoption of certain amendments to the present tonnage laws, which was referred to the Committee on Commerce.

He also presented the memorial of Francis M. Staples, of Los Angeles, Cal., remonstrating against the establishment of a Civil War volunteer officers' retired list, which was referred to the Committee on Military Affairs.

He also presented petitions of the State societies, Sons of the Revolution, of California, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, Georgia, Missouri, Kentucky, Ohio, Indiana, Illinois, Michigan, Colorado, North Dakota, Montana, and Washington, praying for the enactment of legislation providing for the printing of the unpublished archives of the United States Government relating to the War of the Revolution, which were ordered to lie on the table.

Mr. BROWN presented a memorial of Gen. Willich Post, No. 289, Department of Nebraska, Grand Army of the Republic, of Palmer, Nebr., remonstrating against the establishment of a Civil War volunteer officers' retired list, which was referred to the Committee on Military Affairs.

He also presented a memorial adopted at a convention of the Mid-West Implement Dealers' Association, held at Omaha, Nebr., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Local Camp No. 242, of Bristol, and of Washington Camp, of Beatrice, of the Woodmen of the World; and of Local Lodge No. 384, of Geneva; of Local Lodge No. 296, of Broken Bow; and of Local Lodge No. 316, of Craig, all of the Modern Brotherhood of America, in the State of Nebraska, praying for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. ROOT presented memorials of sundry citizens of Akin, Albany, Albion, Batavia, Bath, Binghamton, Brooklyn, Buffalo, Chaffee, Cuba, Dansville, Freeport, Geneva, Holley, Johnstown, Long Island City, Middletown, Monroe, Niagara Falls, New York City, North Tonawanda, Ovid, Penn Yan, Phelps, Plattsburg, Port Chester, Port Washington, Poughkeepsie, Rochester, Rock Glen, Schaghticoke, Syracuse, Tivoli, Troy, Utica, Warwick, Warsaw, Watertown, Wellsville, and Yonkers, all in the State of New York, remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped

envelopes, which were referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. BRISTOW, from the Committee on Claims, to which was referred the bill (H. R. 971) for the relief of Joseph R. Reichardt, reported it without amendment and submitted a report (No. 919) thereon.

Mr. DEPEW, from the Committee on Pacific Islands and Porto Rico, to which was referred the bill (H. R. 23000) to provide a civil government for Porto Rico, and for other purposes, reported it without amendment and submitted a report (No. 920) thereon.

INTERIOR DEPARTMENT AND FOREST SERVICE.

Mr. SMOOT. I am directed by the Committee on Printing, to which was referred Senate concurrent resolution No. 38, submitted by Mr. NELSON on the 7th instant, to report it favorably with an amendment, and I submit a report (No. 918) thereon. I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The amendment was, in line 2, after the word "document," to insert the words "with accompanying illustrations," so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed as a document, with accompanying illustrations, for the use of the Senate and House of Representatives 3,000 copies of the report of the committee and the views of the minority and the evidence taken, together with appendices, in the investigation made pursuant to public resolution No. 9, approved January 19, 1910, authorizing an investigation of the Department of the Interior and its several bureaus, officers, and employees, and of the Bureau of Forestry, in the Department of Agriculture, and its officers and employees, 1,000 for the use of the Senate and 2,000 for the use of the House of Representatives, and that there be printed in one volume 30,000 additional copies of the report of the committee and the views of the minority, 10,000 for the use of the Senate and 20,000 for the use of the House of Representatives.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 9439) to amend the act regulating the height of buildings in the District of Columbia, approved June 1, 1910 (with accompanying paper); and

A bill (S. 9440) to authorize the extension of Colorado Avenue NW. between Fourteenth Street and Sixteenth Street, and Kennedy Street NW. through lot No. 800, square 2718; to the Committee on the District of Columbia.

By Mr. PILES:

A bill (S. 9441) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes; to the Committee on Public Lands.

By Mr. NIXON:

A bill (S. 9442) granting an increase of pension to Frederick L. Jones; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 9443) to amend an act entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906; to the Committee on Immigration.

A bill (S. 9444) granting an increase of pension to Francis J. Trowe; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 9445) granting an increase of pension to James H. Baker; and

A bill (S. 9446) granting an increase of pension to Peter M. Bryant; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 9447) authorizing mineral entries on lands of the Spokane Indian Reservation, State of Washington, classified and reserved as timber lands; to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 9449) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, which was read twice by its title.

Mr. CULLOM. I desire to state that at some time in the early future I may make some remarks upon the bill. I move that it be referred to the Committee on the Library.

The motion was agreed to.

By Mr. CULLOM:

A bill (S. 9450) granting an increase of pension to Francis M. Foster (with accompanying paper); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 9451) for the relief of the heirs of Benjamin S. Roberts; to the Committee on Claims.

A bill (S. 9452) granting an increase of pension to Gertrude J. Brincklé; and

A bill (S. 9453) granting an increase of pension to Mary E. Trusty; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 9454) for the relief of John F. Wilkinson (with accompanying papers); to the Committee on Military Affairs.

By Mr. BRISTOW:

A bill (S. 9455) for the relief of Ira Haworth; to the Committee on Public Lands.

A bill (S. 9456) for the relief of Joseph B. Riley, alias Thomas B. Keesy (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 9457) granting an increase of pension to Leander O. Tucker (with accompanying papers);

A bill (S. 9458) granting an increase of pension to Melissa J. Kauffman (with accompanying papers);

A bill (S. 9459) granting an increase of pension to Catherine M. Walker (with accompanying papers);

A bill (S. 9460) granting an increase of pension to Sherman McBratney (with accompanying papers); and

A bill (S. 9461) granting an increase of pension to Agnes Puckett (with accompanying papers); to the Committee on Pensions.

By Mr. FOSTER:

A bill (S. 9462) for the relief of I. C. Johnson, jr.; to the Committee on Naval Affairs.

By Mr. FRAZIER:

A bill (S. 9463) to extend the limits of Shiloh National Military Park (with accompanying papers); to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 9464) for the relief of Lucy L. Bane; to the Committee on Claims.

By Mr. DEPEW:

A bill (S. 9465) to fix the salaries of certain judges of the United States; to the Committee on the Judiciary.

By Mr. BURKETT:

A bill (S. 9466) granting an increase of pension to Lewis B. Musselman;

A bill (S. 9467) granting an increase of pension to David Marquette; and

A bill (S. 9468) granting an increase of pension to Charles H. Kinney; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 9469) to amend an act entitled "An act to amend section 4843 of the Revised Statutes," approved February 9, 1900; to the Committee on Military Affairs.

By Mr. GAMBLE:

A bill (S. 9470) granting an increase of pension to James Rude (with accompanying papers); to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 9471) granting an increase of pension to John W. Mowery (with accompanying papers); and

A bill (S. 9472) granting an increase of pension to William C. Maxey (with accompanying papers); to the Committee on Pensions.

By Mr. BEVERIDGE:

A bill (S. 9473) granting an increase of pension to Daniel Higdon; and

A bill (S. 9474) granting an increase of pension to Albert F. Reynolds (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 9475) to grant an honorable discharge to Charles F. Hitchcock, alias Charles Forrest; to the Committee on Military Affairs;

A bill (S. 9476) to increase the pensions of the blind who served in the war with Mexico and the Civil War;

A bill (S. 9477) granting a pension to Robert W. Shaffer; and

A bill (S. 9478) granting an increase of pension to William C. Shaffer (with accompanying papers); to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 9479) granting an increase of pension to Charles L. Hoyt; and

A bill (S. 9480) granting an increase of pension to Michael Farrington; to the Committee on Pensions.

By Mr. FLINT:

A bill (S. 9481) granting an increase of pension to James W. Cox (with accompanying papers); and

A bill (S. 9482) granting an increase of pension to George R. Rogers; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 9483) granting an increase of pension to Robert A. Blood; to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 9484) granting an increase of pension to George Snow;

A bill (S. 9485) granting an increase of pension to Edwin R. Bonnell;

A bill (S. 9486) granting an increase of pension to Herman C. Eversz;

A bill (S. 9487) granting an increase of pension to Seth W. Ewings;

A bill (S. 9488) granting a pension to Libbie McCrady;

A bill (S. 9489) granting an increase of pension to Charles G. Rising;

A bill (S. 9490) granting an increase of pension to William V. Sheets;

A bill (S. 9491) granting an increase of pension to Thomas Driscoll; and

A bill (S. 9492) granting an increase of pension to James McNeil; to the Committee on Pensions.

By Mr. BAILEY (by request):

A bill (S. 9493) for the relief of the estate of N. P. Rooks, deceased (with accompanying papers); to the Committee on Claims.

A bill (S. 9494) granting an increase of pension to Thomas L. G. Hansard (with accompanying paper); to the Committee on Pensions.

AGRICULTURAL EXPERIMENT STATIONS.

Mr. CRAWFORD introduced a bill (S. 9448) to provide for the continued maintenance of agricultural experiment stations by annual appropriations of the increased amount authorized by the act of Congress approved March 16, 1906; which was read twice by its title and referred to the Committee on Agriculture and Forestry.

Mr. CRAWFORD. In connection with the bill and explanatory of it I desire to present certain correspondence with the office of the Secretary of the Treasury, which I ask be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, December 12, 1910.

HON. COB I. CRAWFORD,
United States Senate.

MY DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 10th instant, in which you request certain information in regard to my decision of the question of appropriations made by the act of March 16, 1906 (34 Stat., 63), for agricultural experiment stations.

In reply, there are inclosed herewith copies of my decisions of April 7, 1906, addressed to the Secretary of the Treasury, and of April 28, 1906, to the Secretary of Agriculture, from which it will be observed that, as I construe said act, the appropriations made thereby expire with the fiscal year 1912, and not the present fiscal year, as intimated in your letter.

Very respectfully,

R. J. TRACEWELL, Comptroller.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, April 7, 1906.

THE SECRETARY OF THE TREASURY.

SIR: In your communication of March 27, 1906, you request an expression of my views upon the questions which you therein present, as follows:

"I have to invite your attention to 'An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof,' approved March 16, 1906, copy inclosed, and in connection therewith to 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862 (12 Stat., p. 503), and to 'An act to establish agricultural experiment stations in connection with colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887 (24 Stat., p. 440). 'Relative to the provisions of the act of March 16, 1906, the views of the comptroller are requested, as follows:

"1. The annual appropriation for experiment stations having already been made for the fiscal year 1906 in the agricultural act of March 3, 1905 (33 Stat., p. 881), including appropriations for Alaska, Hawaii, and Porto Rico, does the first annual increase of \$5,000 for each State and Territory become available for the fiscal year 1906, with yearly increase thereafter, as provided in the act, up to the maximum of \$30,000; and does said act of March 16, 1906, provide for a specific annual appropriation from the Treasury for the full sums to be paid each State and Territory?

"2. As Alaska, Hawaii, and Porto Rico appear not to have established colleges for agriculture and the mechanic arts in accordance with

the act of July 2, 1862, yet have established experiment stations under appropriations made annually for several years in the agricultural appropriation acts, does the act of March 16, 1906, apply to those stations?"

The bill reads:

"That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March 2, 1887, the sum of \$5,000, in addition to the sum named in said act for the year ending June 30, 1906, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of \$2,000 over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be \$30,000, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

"SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the 1st day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the 1st day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury."

This bill became a law on the 16th of March, 1906. While its language is somewhat obscure on the questions raised by you, yet reading the bill as a whole it appears to be reasonably certain that the first annual increase of \$5,000 therein provided for the agricultural experiment stations for the States and Territories is not available for the present fiscal year 1906. It is found in an independent act, not in a regular annual appropriation bill. It is provided in section 3 of the act "that the sums hereby appropriated * * * shall be annually paid in equal quarterly payments on the 1st day of January, April, July, and October of each year * * *." It would be a physical impossibility to comply with this provision for the present fiscal year.

Section 4 thereof provides:

"That on or before the 1st day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive * * *."

It is apparent from this language that the first payment under the terms of the act should be made to those States and Territories complying with its terms on July 1 next. This will throw the payments for a year all within a given fiscal year, resulting in the payments being made at the beginning of a quarter instead of at its close.

The appropriating clause of the act found in section 1 reads:

"That there shall be, and is hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March 2, 1887, the sum of \$5,000 in addition to the sum named in said act for the year ending June 30, 1906, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of \$2,000 over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be \$30,000 * * *."

The language "in addition to the sum named in said act for the year ending June 30, 1906 * * *" is evidently used as descriptive of the \$15,000 carried for each agricultural experiment station in the appropriation act for the fiscal year 1906, and not intended to make the appropriation therein provided applicable to the present fiscal year.

If a comma had separated the words "act" and "for," supra, Congress would have evidenced its intent to make the appropriation of \$5,000 carried for the first year to each station applicable to the fiscal year 1906. But the comma is not there. Punctuation may be supplied to make an act intelligible and operative, but should not be supplied by construction when its effect would be to confuse and make a bill wholly or partially inoperative. Such would be the case if the comma were supplied in the language, supra. I therefore answer your first question in the negative.

There is nothing in the act to evidence the intent of Congress to appropriate more than the \$5,000 to each experiment station annually for the period of five years and an annual increase thereof of \$2,000 per year for five years. The agricultural experiment stations in Alaska, Hawaii, and Porto Rico were not established in accordance with the act of Congress of March 2, 1887, but by independent act; hence they do not fall within the class of experiment stations for which the appropriations in this bill were intended.

I therefore have to answer your last question in the negative also.

Respectfully,

R. J. TRACEWELL, Comptroller.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, April 28, 1906.

THE SECRETARY OF AGRICULTURE.

SIR: I have received your letter of the 23d instant, in which you request my decision upon the following question:

"By the terms of the act of Congress approved March 16, 1906, entitled 'An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditures thereof,' is a specific annual appropriation made from the Treasury for the full amounts to be paid each State and Territory under the terms of the act?"

In reply I have the honor to invite attention to my decision of April 7, 1906, to the Secretary of the Treasury, a copy of which decision was sent to you with the Secretary's letter of April 10. In construing the act referred to and upon the question now submitted by you, I said:

"There is nothing in the act to evidence the intent of Congress to appropriate more than the \$5,000 to each experiment station annually for the period of five years and an annual increase thereof of \$2,000 per year for five years."

I do not understand just what is involved in your question. If it is intended to ask if the act makes any permanent annual appropriations, my answer is in the negative. The act does not, in my opinion, make any appropriation for any fiscal year subsequent to the fiscal year 1912. Nor does the act appropriate for any year the \$15,000 per annum referred to in the act of March 2, 1887. (24 Stat., 440.) In my decision of April 7, 1906, supra, the conclusion which is quoted herein indicates that the only appropriations made by the act of March 16, 1906, are, for each State and Territory embraced within its terms and subject to the conditions and limitations stated in the act, the items of \$5,000 for the fiscal year 1907, \$7,000 for 1908, \$9,000 for 1909, \$11,000 for 1910, \$13,000 for 1911, and \$15,000 for 1912.

Respectfully,

R. J. TRACEWELL, *Comptroller*.

AMENDMENTS TO RIVER AND HARBOR BILL.

Mr. KEAN submitted an amendment relative to the improvement of New York Bay and Harbor, N. Y., from a point at or near Southwest Spit, northwest of Sandy Hook, N. J., through Lower Bay, Raritan Bay, the channel between New Jersey and Staten Island, N. Y., to the channel in Upper Bay, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PENROSE submitted an amendment providing for the construction of additional locks and dams in the Allegheny River, Pa., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. ALDRICH submitted an amendment proposing to appropriate \$25,000 for continuing the improvement of the harbor at Great Salt Pond, Block Island, R. I., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

SPEECH ON IMMIGRATION.

On motion of Mr. LODGE, it was

Ordered, That there be printed 6,000 additional copies of Senate Document No. 423, Sixtieth Congress, first session.

WITHDRAWAL OF PAPERS—LUCIUS C. WEST.

On motion of Mr. McCUMBER, it was

Ordered, That leave be granted to withdraw from the files the papers in the case of Lucius C. West, S. 4942, Sixtieth Congress, first session, no adverse report having been made thereon.

WITHDRAWAL OF PAPERS—FRANCES N. DUNHAM.

On motion of Mr. TALIAFERRO, it was

Ordered, That the papers in the case of Frances N. Dunham, S. 3948, Sixtieth Congress, first session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

REPORTS OF THE IMMIGRATION COMMISSION.

Mr. DILLINGHAM submitted the following concurrent resolution (S. Con. Res. 39), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound as documents for the use of the Senate and House of Representatives, 4,000 copies of the reports of the Immigration Commission, with accompanying illustrations; 1,000 for the use of the Senate, 2,000 for the use of the House of Representatives, 500 for the use of the Senate Committee on Immigration, and 500 for the use of the House Committee on Immigration and Naturalization; and that there be printed and bound 20,000 additional copies of the abstract of reports of the commission; 5,000 for the use of the Senate, 10,000 for the use of the House of Representatives, 2,500 for the use of the Senate Committee on Immigration, and 2,500 for the use of the House Committee on Immigration and Naturalization.

ELIZABETH A. CLEAVES.

Mr. HALE submitted the following resolution (S. Res. 304), which was referred to the Committee on Appropriations:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Elizabeth A. Cleaves, widow of Thomas P. Cleaves, late clerk to the Committee on Appropriations, a sum equal to one year's salary, at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

ANNUAL REPORT OF THE POSTMASTER GENERAL.

Mr. PENROSE. I offer the following resolution and ask for its present consideration.

The resolution (S. Res. 303) was read, as follows:

Resolved, That there be printed and delivered to the Committee on Post Offices and Post Roads 20,000 copies of the annual report of the Postmaster General of the United States for the fiscal year ended June 30, 1910.

Mr. PENROSE. I will state for the information of the Senate that I have investigated the expense of this printing and find that it will be considerably under \$500. It will be a little over \$300, coming therefore within the rule of the Senate.

The resolution was considered by unanimous consent and agreed to.

THE WHITE-SLAVE TRAFFIC.

Mr. DILLINGHAM. I present certain matter bearing upon the white-slave traffic act of June 25, 1910, and its passage through the Senate of the United States, together with the views of the majority and minority of the Senate Committee on Immigration. I move that the matter be printed as a Senate document (S. Doc. No. 702).

The motion was agreed to.

CIVIL GOVERNMENT FOR PORTO RICO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed (S. Doc. No. 703).

To the Senate and House of Representatives:

As required by section 31 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith a volume containing the laws enacted by the legislative assembly of Porto Rico during the special session beginning August 30 and ending September 3, 1910.

WM. H. TAFT.

THE WHITE HOUSE, December 13, 1910.

HOUSE BILL REFERRED.

H. R. 22842. An act providing for taxation of and fixing the rate of taxation on inheritances, devises, bequests, legacies, and gifts in the District of Columbia, and providing for the manner of payment as well as enforcing payment thereof, was read twice by its title and referred to the Committee on the District of Columbia.

RULE REGARDING TARIFF LEGISLATION.

The PRESIDENT pro tempore. The morning business is concluded. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 127) to limit the right of amendment to bills introduced to amend an act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes."

Mr. CUMMINS addressed the Senate. After having spoken for some time,

The PRESIDENT pro tempore. Will the Senator suspend one moment? The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce."

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none.

Mr. CUMMINS. Mr. President, when I first offered the joint resolution which, as I understand it, is now before the Senate upon a motion to refer it to the Committee on Rules, I had no thought of addressing myself at the present time to its merits. I had expected, after it had been fully considered by the Committee on Rules and reported to the Senate, as I had no doubt it would be promptly, then to ask the indulgence of the Senate for some observations upon its merits. I am led to accompany the joint resolution to the Committee on Rules with a brief remark on account of the suggestion made by the distinguished Senator from Maine [Mr. HALE] at the time I presented it. With the customary richness of his vocabulary he characterized this resolution as—

a very drastic, I might say revolutionary, change of the rule. It would—

Said the Senator from Maine—

on most essential business before the Senate subvert all rules guiding that important business. I do not seek to prevent the Senator from bringing the subject before the Senate in due time, but I think I must insist upon the ruling of the Chair and that the Senator shall proceed under the rule.

I feared that these suggestions made by a Senator who has, and ought to have, very great influence in this body might result in a prejudgment upon the part of Senators, and therefore it seemed to me fit and appropriate that I should at least explain the scope and purpose of the proposed rule. I do not intend to precipitate a tariff debate; I do not know what the result will be; but it is not my object to call into question at this time the merits or the demerits of the tariff law passed in 1909. It is fairly well known, I think, that I believe that many of its duties are excessive and indefensible, but in my judgment the opinion which I hold with regard to the subject I have just mentioned is not material to the consideration of the rule now under discussion. It is, however, material to remember that a great many people in the United States believe that this law should be amended in some respects.

I gave somewhat close observation to the recent political struggle, and to a small degree I participated in it, and I did not hear during the course of the controversy a single utterance, nor did I hear of a single utterance from those who attempted to sustain the cause to which we upon this side of the Chamber are pledged, that did not admit, first, that there were duties in the law that ought to be changed; and, second, that it was the obligation of Congress to speedily make such provision as would enable changes to be made in the existing law.

Upon this foundation, which I think is sound and universal, I state a proposition with which I think every Senator here must agree and concerning which certainly there can be no successful contradiction. It is this: Under the general parliamentary law applicable to the Senate and the House of Representatives and in view of the existing condition of business in the United States it is absolutely impossible to amend a tariff law. Whether it ever has been done I will not pretend to say, for I have not investigated the history of the legislation sufficiently to enable me to make any assertion with respect to it; but I repeat, that under conditions as they are now, taking into account our trade, our commerce, the interrelation, if you please, of the various kinds of business carried on in the United States, governed by parliamentary law which permits amendments without limit, it is wholly impossible practically to amend the present law.

If something be not done, then one of two results must necessarily follow—either the present law will stand as it is, unchanged, unaltered in any respect, until those who believe in the doctrine of protection shall reach the conclusion that there ought to be and must be a complete revision of the tariff law according to the doctrine of protection, or until those who do not believe in the doctrine of protection shall have so successfully waged their campaigns among the people of this country as to be able to substitute for the present law a law composed upon a radically different theory of taxation. One or the other of these consequences will follow. Therefore, as it seems to me, every Senator who believes that we ought to possess the practical and substantial right of amending this statute in accord with the doctrine of protection and every Senator who, even though he believes in some other theory of dealing with this subject, thinks that there are in this law enormities—and I have no hesitation in using the word—that ought to disappear, who thinks that there are duties imposed upon imports that are excessive, ought to favor this rule.

I can understand without any difficulty whatsoever that, viewed simply from a selfish or party standpoint, those Senators upon the other side of this Chamber who believe that the existence of this law, used as a sort of horrid example, will hasten the time when they may have the opportunity and the power to substitute for it a law composed upon the doctrine of duties upon imports for revenue only, can oppose, and will oppose, my proposition that the Congress of the United States ought to be clothed with the practical power of amending this statute; but it is utterly impossible for me to understand how any Senator who believes in the doctrine of protection, but who also believes at the same time that the doctrine should be applied in accordance with the standard which the party to which he belongs has set up for the observance of all its members, can be opposed to this rule.

We ought to have, even considered abstractly, the right to amend this law. It is impossible that there should be a claim made that it is perfect. We know from the utterances of every man who has dealt with it from a friendly standpoint, from the President of the United States to the humblest and obscurest advocate who has enlightened the people from the schoolhouses of the country, that there are mistakes in this law; that there are duties which ought to be reduced; and how it can be successfully maintained that we should stand here inert and helpless, without making an effort to clothe ourselves with the ability to make an amendment, I can not conceive.

I am speaking as one who believes in the doctrine of protection; I am speaking as one who believes that upon imports there should be laid duties that would measure the difference between the cost of producing them in this country and other countries, and I would like to see Congress in such position as that it could preserve this doctrine and maintain this theory, but from time to time, as the occasion might demand, correct or amend the mistakes of 1909. Yet, as it now stands, there can be no amendment, simply because upon the introduction of a bill proposing to amend a single item of the tariff law in the House of Representatives, where all such bills must originate, it can at once be surrounded with the whole body of a tariff law, and that knowledge precludes the consideration or precludes the introduction of any such measure, and we must sit here, confessing that there are changes that should be made and admitting our inability to establish such a rule as will enable us to make them.

I can not understand why it is not desired that this law shall be amended just as all other laws can be amended. I must not be told that abstractly that is true. So it is; but practically it is not true. It is the custom of these parliamentary bodies upon the introduction of bills or amendments upon other subjects not to encumber those amendments with any reforms or any changes in foreign fields of legislation, but that is not true of the tariff; and we all know that if something be not done this law will stand just as it is until the party to which I belong reaches the conclusion that we ought to enter upon a general and complete revision, or the party to which my friends upon the other side belong is clothed with sufficient power to destroy it and substitute for it a law composed upon an entirely different theory.

This, Senators, is the way in which the subjects presents itself to my mind. For one, I intend to do whatsoever I can to bring about such change in the rules as will make it practicable for Congress to consider a single amendment or change, without taking up, to the infinite distress of the business world, the entire subject of the tariff.

With these preliminary observations I pass for a moment to the joint resolution itself, and in order that it may be in the minds of all the Senators, I read a substantial part of it.

That to any bill introduced to amend or change one or more of the paragraphs or items of the act of Congress approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," no amendment shall be in order or allowed which proposes to amend, or the effect of which is to change, any paragraph or item in said act which is not embraced in the schedule containing the paragraph or paragraphs, item or items sought to be amended or changed in any such bill.

The effect of the joint resolution, if adopted by a vote of the Senate and House of Representatives, will be, I take it, substantially as follows: If any Member of the House of Representatives introduces a bill to change an item, then there will be or can be allowed as amendments to that bill proposals to change any other item in that schedule, but no further. If the bill proposes to change items in two schedules, amendments can be permitted embracing the items of the two schedules. If the bill proposes to amend the entire law, then, of course, amendments will be permissible covering the entire subject of our trade and commerce.

Therefore I beg Senators to perceive that there is no attempt to abridge the opportunity to amend any or all parts of the present tariff bill. It still will be in the power of any Member of the House of Representatives or any committee of the House of Representatives—any proper committee, at least—to present a bill for the complete revision of the tariff. It will be in the power of any Member to present a bill for the complete overthrow of the present tariff bill and a substitute for it; but if the Member chooses to confine his bill to one or more items then the right to amend so that the measure will embrace the entire tariff law is denied. This is the substance of the joint resolution.

I am not at all filled with pride as to the phraseology of the joint resolution, or its form. If there is any other way of reaching the result, I shall gladly accept it. All I want to see done is the passage of such a rule as will permit the amendment of any part of the tariff law without drawing to itself the entire field of the tariff.

Mr. ALDRICH. Will the Senator permit me to ask him a question, so as to understand the situation?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I do so for the purpose of understanding the practical workings of the proposed rule as the Senator from Iowa understands it. Do I understand him to say that if in the House of Representatives, for instance, any individual

Member desires to discuss the whole question, or to have before the House the whole question of tariff revision, or the manner in which it shall be disposed of, all he has to do is to introduce a bill covering the whole subject? Is that what the Senator understands?

Mr. CUMMINS. That is true. The joint resolution, if I may remind the Senator from Rhode Island of the fact, does not touch upon the question of debate. It does not limit debate anywhere at any time. The right of debate in the House of Representatives is, as I have been informed, somewhat limited by existing rules. The right of debate in the Senate is, as I have observed, entirely unlimited, and I have no disposition or desire to limit it in any way whatsoever.

Mr. ALDRICH rose.

Mr. CUMMINS. But, if you will allow me to finish the answer, if the Member of the House introduces a bill for the amendment of a single item in the tariff law, there can be offered to that bill no amendment which will have the effect of changing items not embraced in the schedule containing the item of the bill proposed to be amended. What may happen with regard to debate I do not know.

Mr. ALDRICH. Perhaps I used the word "discuss" inadvertently. What I meant to say was that if a Member of the House desires to have the whole tariff question open beyond any control by the House, all he has to do is to introduce a general tariff bill.

Mr. CUMMINS. Precisely, Mr. President.

Mr. ALDRICH. And it would not be within the power of the House, or a majority of it, to prevent taking up the whole subject for disposition.

Mr. CUMMINS. I will not deal with the power of Congress to limit the right of a Member to introduce a bill or to define its scope. Whatever may be our rights in that respect—and I quite agree with the Senator from Rhode Island—this joint resolution does not attempt any such restriction, nor would I, under any circumstances, favor any such restriction. But, for illustration, if a Member of the House introduces a bill to remove the duty on lumber, no other Member could offer as an amendment to that measure a proposal for the removal of the duty on wool or the duty on steel rails. The House, and afterwards the Senate, would be compelled to confine its consideration, so far as that bill is concerned, and the vote upon that bill, to amendments proposed to the wool schedule, and that is the very object which I desire to accomplish.

Mr. ALDRICH. I perhaps did not explain my meaning fully. The Senator's joint resolution, as I heard it read—an amendment to the rules—applies only to the introduction of bills; not to bills that have been reported from a committee, not to bills adopted by the House, but merely as to the introduction. Now, in the case to which the Senator alludes, if a gentleman desires to put not only lumber on the free list, but a large number of other items, all he has to do is to introduce a bill for that purpose. Then the whole question is before the House, and amendments can not be confined, under the Senator's proposed rule, to any one item.

Mr. CUMMINS. The Senator is mistaken with regard to the joint resolution and its meaning and effect.

Mr. ALDRICH. I hope it may be read again, because I must have misapprehended its purport.

Mr. CUMMINS. It is quite true that there is nothing in the joint resolution which will prevent any Member of the House of Representatives from offering a bill to revise the entire tariff law, but it declares that if any Member does introduce a bill, or if any bill is introduced, whether from a Member or a committee, to change the duty on a particular commodity, that bill at least must be considered by the House of Representatives and afterwards by the Senate without any amendments which may be brought forward to change items in any other schedule than the one embracing the item originally attacked by the bill.

It would enable the House of Representatives to amend any particular schedule, and the real issue here, and we might as well, of course, understand it, is whether we will adopt, if we can, a plan that will enable us to amend the tariff law a schedule at a time.

I use that phrase because it has become very familiar to the people of the United States, inasmuch as it has found its way into I think something like 25 or 26 platforms announced in various parts of the Union by the formerly prevailing party, and whatever is necessary to reach that result I am willing to accept. If the joint resolution can be amended in any way so that we can do what I have proposed, I shall welcome the amendment. If anyone else can suggest any other phrase that

will accomplish the purpose, I shall accept that, so far as I am concerned.

Mr. LODGE. May I ask the Senator from Iowa a question? The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. Certainly.

Mr. LODGE. I understand that this limitation is a limitation of amendment only at the stage of amendments.

Mr. CUMMINS. That is all.

Mr. LODGE. It has no relation to the introduction of bills or what anybody may introduce?

Mr. CUMMINS. None; never.

Mr. LODGE. It applies only when a bill is before the body?

Mr. CUMMINS. The Senator from Massachusetts has stated it with precision.

Mr. ALDRICH. I should like to have the joint resolution read. I do not understand the proposition in that way. I should like to have it read.

The PRESIDENT pro tempore. The Secretary will again read the joint resolution, at the request of the Senator from Rhode Island.

The Secretary read as follows:

Resolved, etc., That to any bill introduced to amend or change one or more of the paragraphs or items of the act of Congress, approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," no amendment shall be in order or allowed which proposes to amend, or the effect of which is to change, any paragraph or item in said act which is not embraced in the schedule containing the paragraph or paragraphs, item or items, sought to be amended or changed in any such bill.

Mr. LODGE. I think as that is worded it might be interpreted to mean that the bill once introduced could not be amended. However, I should have to go over it with more care. But I felt sure that was not the Senator's intention.

Mr. CUMMINS. Certainly not—

Mr. LODGE. But only to limit amendments at the amendment stage.

Mr. CUMMINS. Nor do I think it could possibly have that effect. But, however that may be, the principle is the substance of this controversy, and not the manner in which it shall be expressed. I assume that the joint resolution will, after such debate upon it as may occur, be referred to the Committee on Rules, and if I have not made the matter perfectly clear the eminent Senators upon that committee will do so.

Mr. CARTER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. CUMMINS. I do.

Mr. CARTER. Before the Senator resumes his seat, I would be glad to have him address himself to the question of the power of the Senate, or of the Senate and the House acting jointly, to abridge the rights of either body as the joint resolution proposes.

Mr. CUMMINS. I may say in response to the Senator from Montana that I hope he will not advance me to the point to which he is now calling attention. I have it upon my brief—if I may be permitted to call it a brief—and I shall address myself to it later.

Mr. CARTER. Very well. I understood the Senator was about to resume his seat. That was the reason I desired to ask him the question.

Mr. CUMMINS. The Senator from Montana ought to have better knowledge of me from experience—

Mr. CARTER. I was somewhat disappointed, I must say, to learn that the Senator was about to resume his seat.

Mr. CUMMINS. I hope the Senator will understand that when I said I would be exceedingly brief, I was either indulging in a pleasantry or using the term in a Pickwickian sense.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. I hope the Senator from Iowa will not receive my remarks as in the nature of unfriendly criticism. I think we all agree it would be desirable, if it were possible, to take up the tariff by subjects rather than by a general revision. I think "schedules" is too narrow a word. I think if we might take up the question of tariff revision by subjects and have them disposed of, as they should be disposed of, after most careful and scientific examination of all the items and conditions involved, it would be a desirable thing to do. But I doubt very much whether the machinery which is now suggested would be adequate for that purpose, and I think the further question raised by the Senator from Montana is a very serious one. I

think we must agree as to the desirability of doing it as we can and when we can.

Mr. CUMMINS. I am very glad the Senator from Rhode Island is of that view, because that is the substance of the proposition, and as to the manner in which we shall possess ourselves of the substance, we can discuss at our leisure.

Mr. HEYBURN. I should not like to have it go out that we are agreed that it is wise or well to consider the question of the protective tariff policy of the Republican Party by subjects or by schedules, but as a political principle involving the entire question, and I think that is what the real Republicans of the United States stand for.

Mr. CUMMINS. I do not often come to the defense of the Senator from Rhode Island; it is not necessary often to come to his defense; but I did not understand the Senator from Rhode Island, in expressing his view upon the subject, to attempt to speak for all the Republicans of the country, or all the Republican Senators now here.

Mr. ALDRICH. I certainly did not. I have no mandate, that I know of, either from the Republican Senators or from the Republican Party generally. I simply expressed my own views on the question, and I thought they were sympathized with, more or less, by a large number of other gentlemen.

Mr. CUMMINS. I know there are different views upon this matter; but I believe it to be true that those who insist upon the opportunity to revise this law, schedule by schedule, or subject by subject, are in the very large majority, as I think I might easily demonstrate if I were to take up the Republican platforms announced in the present year.

Mr. HEYBURN. Mr. President, where in the present year has any organization or political body the authority to change the principles of the Republican Party as announced in its last platform?

Mr. CUMMINS. Mr. President, I assume that the Republican conventions of each State are authorized to speak for the Republicans of that State, and if it should happen that the Republican conventions of all the States should speak in harmony upon any particular subject, I would be willing to assume that that was the Republican voice. Would not the Senator from Idaho?

Mr. HEYBURN. No; so long as they are not in the forum where the speech is responsible. They are not in national convention.

Mr. CUMMINS. I do not believe it would be very gratifying to the Republicans of my State to hear the suggestion that they are not responsible for what they say upon national questions as well as State questions.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. Perhaps I should say in explanation of the remarks I made a few moments ago that while I believe in the general desirability of the plan suggested I am not in favor at this time of trying to impose restrictions or limitations upon the House of Representatives in their power to originate tariff legislation. The people of the United States, wisely or unwisely, have given the Democratic Party control of the House of Representatives by a considerable majority. I am in favor of the Republican Party taking the attitude that they ought not at this time to place any obstacles or restrictions whatever on the exercise of the authority conferred by the Constitution upon the House of Representatives. Whether they shall decide to inaugurate a general revision of the tariff or a revision by schedules, the responsibility is upon them, and so far as I am concerned I do not intend by any word of mine here to try to relieve them of that responsibility, which I venture to hope they will be permitted to use in their own way.

Mr. CUMMINS. Mr. President, I am very sorry the Senator from Rhode Island has brought into this discussion any party spirit. It ought to be just as desirable to the Senators on the other side of the Chamber that such a rule should exist as it should be to the Senators who sit upon our side of the Chamber. There is nothing in this rule, if adopted, that would in any wise restrict the members of that party from bringing forward just such tariff bill as they think ought to be brought forward; and if they do come into the possession of Congress and do pass a tariff law in accordance with their views, they ought to desire the opportunity to amend that law from time to time without undertaking a full and complete revision. It is just as fair to one political organization as the other.

I remember too the Senator from Rhode Island has intimated, although he did not intend it I am sure, that I am seeking, consciously seeking, to deprive the House of Representa-

tives or the Senate of a right conferred upon them or either of them by the Constitution of the United States by a joint rule. I hope the Senator from Rhode Island does not believe I would consciously at least undertake so foolish a task. He can not think so.

Mr. ALDRICH. Oh, no; certainly not, Mr. President. My only fear was, and it is a very serious one, that if this joint rule should be adopted as presented and was carried out it would result in a curtailment of the constitutional prerogative of the House of Representatives and, possibly, a curtailment of the constitutional prerogative of the Senate.

Mr. BACON. I should like to ask the Senator how he proposes to dispose of that provision of the Constitution, the fifth section of the first article, which says:

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, etc.

I do not see how that can be restricted in any way by one House so as to affect another House. The same rule applies to the Senate.

Mr. CUMMINS. It could not; but the two Houses together can enact a rule that will govern the proceedings of both. It has often been done, and I think without any question about either its propriety or its constitutionality.

Mr. BACON. But the fact that it has been done would be no argument unless it can be shown that it has been constitutionally done.

Mr. CUMMINS. Precisely.

Mr. BACON. There is a plain provision of the Constitution which gives to each House the right to determine its rules of procedure. This is certainly a proposition to restrain it, to restrict the House in the determination of its rules of procedure, and to determine it not by the House itself, but by a law which shall control the House.

Mr. CUMMINS. The substance of the suggestion of the Senator from Georgia is, I take it, that under the constitutional provision which he has mentioned any order, resolution, or rule which affects the proceedings in either House must be adopted by the Houses separately.

Mr. BACON. Undoubtedly.

Mr. CUMMINS. I do not so understand it.

Mr. BACON. It may be true that for the Congress to pass a law which affects all the procedure in a House would be in effect that the House agreed to it; but the right does not only exist to make a regulation, but it exists to change a regulation, and when we pass such a law, although the House may agree to the passage of the act, it takes away from the House the right on its own motion, without consulting the Senate, to change it. Therefore it destroys the right.

Mr. CUMMINS. The proposition, I take it, therefore, is that under the Constitution there can be no joint rule that governs the proceedings of the two Houses.

Mr. BACON. I did not say the proceedings of the two Houses, but the proceedings of either House. The proceedings of the two Houses are proceedings which they take jointly, for instance, when they meet to count the electoral votes, but in their ordinary legislative capacity each House proceeds in its own way and upon its own responsibility and reaches its own conclusions; and they must agree before ever their conclusions can take the form of law, so far as the general law is a conclusion. When it comes to the rule of procedure, the Constitution is as plain as words can make it that the right belongs to each House, and belongs to each House separately; and if they jointly undertake to prescribe rules, they necessarily take away, so long as that remains the law, if it is a constitutional law, the opportunity and the power of either House to carry out its constitutional privilege of determining what shall be its method of procedure.

Mr. LODGE rose.

Mr. BACON. Now, if the Senator from Massachusetts will pardon me just a moment, I do not desire to unduly interrupt the Senator from Iowa, but I wish to make another suggestion in this connection. The Senator speaks of the opportunity which will be given in the House under this joint resolution, if it should be adopted by the two Houses and receive the signature of the President and become a law, to attempt to broadly change the tariff law; in other words, that while one Representative might introduce a bill which affected only one schedule, it would in no manner affect the right or the privilege of any other Member to introduce a bill which would affect all schedules. That is true as to the House, but that would not be true when it came to the Senate. The effect of the Senator's resolution would be to bind the Senate in a degree to which the House would not be bound, because we can not originate a bill with respect to the revenue. Therefore we would be limited in

our opportunity to amend the tariff law exclusively to the particular schedule which the House might send here. The House would have the opportunity, under the statement of the Senator himself, to go broadly into the subject without being limited as to any particular schedule.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. In just a moment. The last suggestion made by the Senator from Georgia that it arises from the constitutional provision that bills of that character must originate in the House of Representatives, I shall presently show, I think, that this rule, so far from abridging what I believe to be the rights and privileges of the Senate, does not confine the Senate to the constitutional point. But that I will treat later, and I will also before I finish take up the suggestion that the two Houses acting jointly are incapable of prescribing rules which govern their procedure. I now yield to the Senator from Massachusetts.

Mr. LODGE. I merely wanted to state, in connection with the point made by the Senator from Georgia, that his objection seemed to me to go to the control of the action of both Houses by joint resolution or by law. I do not suppose the Senator from Georgia would suggest for a moment that each House in regulating its own procedure can not prescribe the mode or define or limit the number or the character of amendments, each House for itself.

Mr. BACON. I think so, most undoubtedly. What I said was wholly by way of illustration, that if we were to pass a law which would be in the shape of a statute or joint resolution, necessarily we would abridge and nullify the provision in the Constitution which gives to each House the unlimited power to do that which the Senator from Massachusetts now suggests.

Mr. LODGE. I only wanted to bring out the point, which seems an important one, of distinction between the method and the principle involved. The question which I understand underlies the resolution of the Senator from Iowa is whether we are to have power in this body to deal with one schedule or one paragraph, or one subject in the tariff act at a time, without opening it to amendments reaching every phase of the tariff. I believe some method could be devised to meet that precise difficulty, and after an experience of five tariff revisions I think something ought to be done in that direction. I do not mean to interrupt the Senator further, for I shall take occasion to say something more on this subject later.

Mr. BACON. With the permission of the Senator from Iowa, I desire to state, in response to the suggestion of the Senator from Massachusetts, that undoubtedly the Senate has a right to pass a rule like that, if it sees proper to do so. I should very much deprecate the action of the Senate in strangling itself in any such way. This is a very high council. It is a little more than an ordinary legislative body or branch of the legislative department. We sit here in a very much higher capacity than that of ordinary legislators. We are here as the representatives of separate States, as councillors representing sovereignties. If the Senator will pardon me a moment, from the foundation of the Government it has been recognized that in this small body, with the great responsibilities which rest upon us, with the great representation which we here personify, there should be absolute freedom of discussion, absolute freedom of procedure, and, I think, that this would be in its nature one of the most objectionable proceedings in restricting such freedom of procedure.

Mr. LODGE. If the Senator from Iowa will allow me—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. I do.

Mr. LODGE. Our rules are full of limitations on our power of amendment at this moment on appropriation bills, and have been for years.

Mr. BACON. Oh, yes.

Mr. LODGE. If we can limit the right of amendment and prescribe what amendments shall be received on appropriation bills, of course we can do it on any other bills if we see fit.

Mr. BACON. There are no limitations upon the power of amendment in appropriation bills which cut off the right or the opportunity to bring before the Senate in some way any amendment which may be desired. For instance, an amendment upon an appropriation bill can be introduced here, if first sent to the Committee on Appropriations.

Mr. LODGE. The Senator forgets that there are certain classes of amendments absolutely excluded.

Mr. BACON. Of course, if not germane.

Mr. LODGE. No; private claims.

Mr. BACON. That does not relate to the subject matter at all.

Mr. CUMMINS. I hope the discussion will not drift too far.

Mr. LODGE. I beg the Senator's pardon.

Mr. BACON. I will not further interrupt the Senator from Iowa.

Mr. CUMMINS. It must not be understood, because I pass the question just at this moment, that I concur in the view of the Senator from Georgia with regard to the construction of section 5, Article I, of the Constitution. I read it again:

Each House may determine the rules of its proceedings.

The proposition of the Senator from Georgia is that this power, if you please, can not be exercised through the medium of a law, or joint resolution, or concurrent resolution, but that it must be exercised by each House acting separately. I do not concur in or assent to that interpretation of the Constitution. I insist that while it does require the assent of each House to determine or provide for a rule which shall govern its procedure, nevertheless it may give that assent and be bound by that assent in a joint resolution or a law which shall govern at the same time the procedure of the Senate.

Mr. BACON. Will the Senator pardon me for an inquiry?

Mr. CUMMINS. Certainly. I intend to argue that question a little later.

Mr. BACON. I will not interrupt further except to ask one question. Does the Senator think that the House can, by any action, surrender its constitutional right and power?

Mr. CUMMINS. It can not.

Mr. BACON. Very well.

Mr. CUMMINS. It certainly can not surrender a constitutional duty.

Mr. BACON. Or a constitutional power?

Mr. CUMMINS. I am not prepared to say that it can not surrender a constitutional privilege.

Mr. BACON. I utterly disagree with the Senator. I do not think the House can surrender a constitutional power or a constitutional privilege.

Mr. CUMMINS. If I were to agree with one conclusion the Senator reaches the other would not to my mind follow.

Mr. BACON. I want to suggest this as a reason why it would follow. If I am correct in my view of what is constitutional, it is the power and privilege of the House itself, without restriction, to make all of its rules of procedure. Now, if it enters into a contract, if you please, with the Senate by agreeing to a joint resolution to the effect that there shall be a certain procedure, which shall thereafter not be changed unless the law is repealed, which requires the consent of the Senate before that method of procedure can be changed by the House, it necessarily surrenders its power and gives it to be exercised not by itself, but only in conjunction with another House, and by the consent of another House.

Mr. CUMMINS. On the contrary, the House in assenting to a resolution such as this exercises its privilege. It does not surrender its privilege. I do not agree that each House must be at liberty to disregard every act of a former House, even though that act was authorized by the Constitution. Every act of the House is authorized by the Constitution, or it would not be valid. This phrase in the Constitution says that—

Each House may determine the rules of its proceedings.

There is nothing which indicates to me that when it once exercises that power of privilege it may not exercise it in such a way that in the future the consent of the Senate may be required to change it.

Mr. BACON. I do not think I can make that any plainer than I have already suggested.

Mr. CUMMINS. The position of the Senator from Georgia is perfectly clear. I only dissent from his construction of this phrase or clause of the Constitution.

Mr. BACON. I can not agree with the Senator in any particular as to his conclusion.

Mr. ALDRICH. Mr. President, I am anxious to find out something about the Senator's idea of the practical working of this rule. How is it to be enforced? For instance, suppose the House of Representatives passes a bill placing all food products on the free list and sends it to the Senate. It puts everything in the agricultural schedule on the free list. A majority of the Senate believe that that would be an unjust discrimination against a particular section, and they try to amend it by putting manufactured products of some kind upon the free list. Would there be any way in which this could be done? Suppose the Senate makes an amendment, notwithstanding the rule, and a majority of the Senate rules it in order, notwithstanding the joint rule, what is to happen? Is the act

to become void because the Senate has transcended a joint rule?

Mr. CUMMINS. The Senator from Rhode Island simply suggests revolution. He suggests an instance in which the Senate refuses to be bound by the law or by its own rule, and what the consequences of such a refusal might be it is not necessary for me to inquire. I do not anticipate that any such instance will occur.

Mr. ALDRICH. I think the Senator from Iowa has been in the Senate long enough to know that the Senate usually, or at least sometimes, decide questions of order as they would like to have them decided for the time being, and I suppose there is no way ordinarily of going back of such decision. They can interpret their own rules as they see fit, and this is a question where it is an interpretation of the joint rules. I am making this suggestion as while we might all of us agree—we do not all agree—the Senator from Idaho says that it was desirable to take up this question of the revision of the tariff by subjects rather than as a whole, I have a fear I may change my mind after hearing the Senator from Iowa further; that the only way to accomplish that is by concurrence and assent for the time being of the majority of each of the two Houses, and not by any rule. It seems to me that is about the only way in which this thing can be done, and that we shall waste our time in trying to establish artificial rules for the government of future Congresses or future Senates or future Houses of Representatives.

Mr. BACON. Mr. President, if the Senator will pardon me, I shall not again interrupt him upon this point at least.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I do.

Mr. BACON. In order to make my proposition complete, I simply desire to call the attention of the Senator to the fact that not only in the passage of a law which would control the rules of the House would the House be surrendering its independence in the control of the rules of its procedure to the extent of thereafter being dependent upon the consent of the Senate, but in the passage of such a law it would also surrender it to the extent of being dependent likewise upon the consent of the President, who would be required to approve a bill repealing that law, a thing absolutely and utterly at war with all our principles of government, the theory upon which it is founded, and the design that its departments shall be kept separate and that each shall proceed in its own way to perform its constitutional duties.

Mr. CUMMINS. Mr. President, whenever the House of Representatives passes a law upon any subject whatever, it surrenders its privilege to destroy that law by its own act or prevent the operation of that law by its own act. Every act of legislation so unites the House to the Senate and the Senate to the House and both to the President of the United States that it can only be overturned by the passage of some subsequent act.

Now, I reply to the Senator from Rhode Island [Mr. ALDRICH]. If it is not possible to adopt such a plan or such a rule as will bring about the result which he says he desires to bring about, then, of course, we must submit; but he assumes in advance that it is not possible. It seems to me that he ought to look upon the question from a more friendly standpoint and inquire with very great care whether it be not possible.

The suggestion that at a given time the object could be accomplished by the acquiescence of a majority of the House and of a majority of the Senate is obviously impracticable, because unless there is a leadership that amounts to absolute domination there never can be found any such concurrence as will allow one schedule or one subject of the tariff law to be amended without drawing in other subjects. For instance, my friend the Senator from Idaho [Mr. HEYBURN] has opinions and convictions so decided and so emphatic upon this point that I think the Senator from Rhode Island will agree that no party harmony or party spirit could ever effect any such result with men like the Senator from Idaho in the Senate. I add that I believe in that independence of conviction and independence of action, and I should be sorry if we ever shall be driven into a condition where, in order to accomplish a wise purpose, we must have absolute unanimity upon a subject like this. Therefore let us go forward with open minds to see whether we can not find some way in which it can be done. Nor am I willing to found the rules of the Senate upon the hypothesis that at any time, under any circumstances, will Senators violate their consciences and declare an amendment to be in order that, under the plain and obvious provisions of the rules, is not in order. If that has ever occurred, it ought to be forgotten, and we ought to make sure that it never again will occur.

Mr. BEVERIDGE and Mr. HEYBURN addressed the Chair. The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. CUMMINS. I yield to the Senator from Indiana [Mr. BEVERIDGE], who has been waiting for some time.

Mr. BEVERIDGE. Will the Senator from Iowa permit me to propound a question to the Senator from Rhode Island?

Mr. CUMMINS. I yield to the Senator from Indiana for that purpose.

Mr. BEVERIDGE. The Senator from Rhode Island a moment ago suggested—and I wondered then what its significance could be—that in case we took this matter up it should be by subjects instead of by schedules. Then a little later the Senator pointed out the impossibility as a practical matter of dealing with the tariff if it was dealt with by subjects instead of by schedules. For illustration, he said, suppose under the subject of food products the other House should send us a bill, and we would be confined to that subject of crude food products, and we should want to amend it merely in reference to manufactured food products. So the impracticability of the Senator's suggestion was pointed out most clearly by himself. I wish to ask the Senator whether now, on mature reflection, he being of the opinion, as he stated, that something of this kind should be done, if he does not think that it would not be better to deal with this matter as proposed by the Senator from Iowa, by schedules instead of by subjects?

The Senator gave one very clear illustration. I will suggest another. Suppose the House of Representatives, instead of sending us a bill dealing with Schedule K, wool, were to send us a bill dealing with the subject of clothing. That would take in the cotton schedule, the wool schedule, and anything else affecting that general subject of clothing. Those two illustrations are sufficient to show the impracticability of that suggestion. That being the case, would not the impracticability pointed out so clearly by the Senator from Rhode Island as to dealing with this matter by subjects, as suggested by himself, be largely obviated by dealing with the matter from the point of view of schedules, as proposed by the Senator from Iowa? For example, under that we could deal with the subject of wool, and wool alone, and not be bothered by the whole subject of clothing; then of cotton, and cotton alone; or we could deal with sugar and molasses, and manufactures thereof, as proposed in Schedule E, and that alone. Whereas if we dealt with sugar, for example, if we were trying to reach sugar and we did it only under the subject of food products, then, of course, the difficulty of that would become apparent. So, if the Senator from Iowa will pardon me—for this is rather a long interruption—I ask the Senator from Rhode Island, in view of his own illustration, whether he does not now think that his suggestion of dealing with this by subjects, instead of by schedules, is not a much worse and more impracticable proposition, even to his own mind, than that proposed by the Senator from Iowa? If so, the debate is narrowed down to the proposition of dealing with the matter by schedules and becomes, as everyone will see, much more clear because much more limited.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. I do.

Mr. ALDRICH. Mr. President, the Senator from Indiana entirely misapprehended my proposition. Of course, we never deal in actual legislation by subjects; we never pass a bill to put food products, without designation, upon the free list.

Mr. BEVERIDGE. I know; but that was the Senator's proposition, as the Record will show.

Mr. ALDRICH. What I mean is, of course, that we would put certain articles, including different kinds of meats and wheat, corn, and barley, upon the free list—everything, in fact, that comes within the designation of food products—not by the general designation of food products. Of course, we never deal in tariff legislation with general designations; it must be with specific articles. But my reason for suggesting subjects was that all the items, practically, or very largely so, of a tariff bill are interrelated. You can not undertake to fix absolutely the duties on all the articles without reference to other articles. Take sundries, for instance; take the free list; take any of the great schedules, and there are hundreds of items and articles that are dealt with in those schedules that can not be changed to any great extent without necessitating amendments to other schedules. What we are after, I take it, is that related subjects or related items should be considered. I suppose that is what the Senator from Iowa has in mind.

Mr. BEVERIDGE. Mr. President—

Mr. CUMMINS. Let me answer the Senator from Rhode Island, and then I will yield to the Senator from Indiana. I

have taken the schedules as the basis, because I believe the classification—for which the Senator from Rhode Island is as much responsible as any Senator, and more—is a very wise one and a very complete one. I understand perfectly that there might be instances in which it would be very desirable to pass beyond the schedule to some other item, but, balancing up the advantages of amending by schedule and the disadvantages of withholding any amendments until there can be a complete revision, I think the balance is altogether in favor of amending by schedule.

Mr. ALDRICH. That brings to mind another illustration. Suppose, for instance, the House of Representatives, hides being now upon the free list, should pass an amendment to the free list putting a duty of 15 per cent on hides—the old duty. Would any Senator think that we ought not in that case perhaps to increase the duties upon boots and shoes?

Mr. CUMMINS. I would say at once that we ought not.

Mr. ALDRICH. Or change the duties on boots and shoes?

Mr. CUMMINS. I would say we ought not.

Mr. ALDRICH. That is it exactly.

Mr. CUMMINS. But I suppose the Senator from Rhode Island would have a different view of it.

Mr. ALDRICH. Suppose we should put a duty of 50 per cent on hides.

Mr. CUMMINS. We might then want to change the duties on boots and shoes.

Mr. ALDRICH. Well, would it not be proper, certainly, that we should consider the products of hides in connection with the legislation?

Mr. CUMMINS. That is merely, I think, a fanciful objection, because if one Member of the House should introduce a bill to put a duty of 50 per cent upon hides, I have no doubt that another Member interested in boots and shoes would introduce a bill to increase the duty upon those articles, and ultimately the House and the Senate would have the opportunity to consider both, and I think they would have the opportunity under conditions much better than now attend a general revision of the tariff.

Mr. ALDRICH. Would Senators have the same rights as Members of the House?

Mr. CUMMINS. To do what?

Mr. ALDRICH. To offer bills to amend.

Mr. BEVERIDGE. No.

Mr. CUMMINS. Certainly not.

Mr. ALDRICH. Why not?

Mr. CUMMINS. Because the Senate has no right to originate bills to raise revenue. The Constitution forbids.

Mr. ALDRICH. Is the proposed joint rule to apply in one way in the House and another way in the Senate?

Mr. CUMMINS. Unfortunately for the Senate, certainly; but whether fortunately or unfortunately for the country I do not say. No Senator has the right to introduce a bill for the purpose of raising money.

Mr. ALDRICH. But he has a clear right under the Constitution to introduce a bill in the form of an amendment to a tariff bill which comes from the House.

Mr. CUMMINS. I do not agree to that, and I will come presently to it.

Mr. BEVERIDGE. He has, after the bill gets here.

Mr. CUMMINS. I know that some of my brothers who are very strongly in favor of my joint resolution will not agree to all my opinions upon this subject. I do not think that the Senate has morally or constitutionally any right to build up a tariff law about a bill that comes from the House touching a single article or commodity.

Mr. ALDRICH. I think the Senator is going out upon an ocean that has no limit when he makes that proposition.

Mr. CUMMINS. If I find the port into which I—

Mr. ALDRICH. I am inclined to think that he will find very few Senators who will agree with him in that proposition.

Mr. CUMMINS. If I find the port into which my vessel is anchored infected with some dangerous disease, I will sail out, whether I sail into an open ocean or into a closed ocean.

Mr. HALE. The Senator will find that.

Mr. ALDRICH. I think the Senator is likely to stay in the open ocean on that proposition.

Mr. CUMMINS. Mr. President, I know just exactly what the Senator from Rhode Island means. I think, however, that even he will live to see a time when the people of this country will demand in such form that can not be denied the privilege of dealing with the tariff, subject by subject or schedule by schedule. We are now pointing the way; and it seems to me that Senators who believe in the general object to be accomplished ought to help try to find the way, instead of placing all manner of obstructions in the path.

Mr. ALDRICH. Mr. President, I think, upon consideration, the Senator from Iowa will see that that observation was not quite fair under the circumstances. He was announcing the doctrine that the Senate had not a right to the fullest extent to amend a tariff bill which came here from the House of Representatives. That was the thing I was talking about. I think he will find very few men in this body who would be willing to agree with him on that subject.

Mr. CUMMINS. Possibly we can change them, however—

Mr. ALDRICH. Possibly; yes.

Mr. CUMMINS. Because I intend to cite presently some opinions from very eminent gentlemen upon that subject. It is true that when they rendered these opinions they were Members of the House of Representatives; but many of them afterwards became Members of the Senate, and I assume that they did not change their opinions with regard to the Constitution because they were transferred from one end of the Capitol to the other.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I do.

Mr. BEVERIDGE. Mr. President, the Senator from Rhode Island suggesting, first, that it would be better, if this could be done at all, to have it done by subjects instead of by schedules, a few minutes later pointed out the impracticability, if not the impossibility, of doing it by subjects. He did it very clearly. I then asked whether it would not narrow it and make it more easy to do it by schedules as proposed by the Senator from Iowa. The Senator from Rhode Island then pointed out that it would be impracticable, if not impossible, to make one amendment to either a subject or a schedule without dealing in some correlated subject. Now, I want to ask the Senator if it would not be possible, in case the proposed joint rule should be adopted, to deal with the revision of Schedule K, the wool schedule, without changing any other portion of the tariff at all? For example, what has Schedule K, the duty on wool, to do with the duty on wood, or the duty on paper, or the duty on anything else? I understand—it has been stated at least by very eminent authority—that the Senator from Rhode Island thinks that the wool schedule should be changed, and that so far as he was concerned he would have been glad to have seen it changed at the time the bill was pending. If this rule, so ably urged by the Senator from Iowa, should be adopted by both Houses, and therefore become a law governing their action, would it not be possible to change this one schedule without changing anything else?

Mr. ALDRICH. I think the Senator uses a very good illustration. In the first place, neither his eminent authority nor he himself has any right to speak about my view on this subject.

Mr. BEVERIDGE. I withdraw that then—

Mr. ALDRICH. In the next place, the wool schedule is a very good illustration of just what I mean.

Mr. BEVERIDGE. That is to say, unless the Senator says that what has been stated is not true and that he does not favor a change of the wool schedule.

Mr. ALDRICH. I am not on the witness stand at the present time.

Mr. BEVERIDGE. I am not trying to examine the Senator, but—

Mr. ALDRICH. There are in the silk and other schedules provisions in regard to articles partly of wool, partly of silk, or other materials, which it would be necessary to change if wool should be put on the free list and the duties on woolen goods largely reduced; that is, unless we are to have the anomalous condition of a different duty upon an article of mixed materials than upon an article composed entirely of wool.

Mr. BEVERIDGE. Then the Senator thinks it should be by subjects rather than by schedules?

Mr. ALDRICH. I think if we are trying to get at this matter in a practicable way we must consider the possibility of changing other schedules than the one which is under consideration at the time. I am talking about this matter from a practical standpoint. I am not making these suggestions with a view of embarrassing the Senator from Iowa. I think I have the same purpose he has—to see if we can get at this matter in some practicable way.

Mr. BEVERIDGE. Will the Senator permit me for a moment? The Senator points out that we can not do it by schedules, and suggests subjects. Then he very clearly points out that to revise it by subjects would be impracticable. So the Senator, while saying that he is in sympathy with the plan, points out that under either possible mode of procedure the plan is not practicable. That being true, the Senator is against the plan.

Mr. CUMMINS rose.

Mr. ALDRICH. The Senator from Indiana three or four times—

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. ALDRICH. I will take but a second.

Mr. CUMMINS. Very well.

Mr. ALDRICH. The Senator from Iowa says that I have demonstrated three or four times that it is impracticable to take up the revision of the tariff by subjects. I have simply pointed out the difficulties in certain cases.

Mr. BEVERIDGE. I say the Senator tried to.

Mr. ALDRICH. I think when he comes to read the debate he will be satisfied that is not the case.

Mr. BEVERIDGE. That often appears to be the case.

Mr. CUMMINS. I have been much interested in this debate, in which I have been somewhat of an outsider, but I pause again long enough to remark that it would be utterly impossible to adopt any rule that would provide for the limitation of amendments to subjects—

Mr. ALDRICH. Unless you should say "amendments that were pertinent."

Mr. CUMMINS. Somebody must then decide what is the subject or what subjects are so related to the subject as to make the amendment a proper one. That gives no guide whatsoever, save the opinion of the presiding officer, whomsoever he may be.

Mr. ALDRICH. Oh, no. The Senate itself would decide that question by a majority vote.

Mr. CUMMINS. We have classified the subjects of the tariff. I think it has been fairly well done, and while I acknowledge frankly that there would be some friction in the application of this rule—that is to say, there might be some inconsistencies between the duties as they would remain after they were amended "schedule at a time"—yet it is so much better than the existing condition, by which we are precluded from amending the law at all, that I think the Senator from Rhode Island, having this same object in view, ought to be willing to undergo some of the inconveniences, possibly the injustices, that would come from the application of the rule, in view of the immensely greater injustices which come from the prohibition against any amendment whatsoever.

Now I come to the point of the rule as applied to the Senate. I have not been a Senator long enough to become imbued with that intense pride which the Senator evidently thinks fills the minds of this body. I think that Senators desire to exercise the powers which are granted to them by the Constitution, and that they have no desire to invade, even if they have the power to do it, the privileges, the rights of the House of Representatives as granted by the Constitution. I believe that the Senate is denied the rightful power—and I make a distinction there between power and rightful power, because I realize that if the power be exercised by the Senate the only remedy is through the refusal of the House of Representatives to assent to our usurpation of power—I believe that the rightful power of the Senate is confined to amendments which touch the very objects proposed by the House, and which touch no other objects; and I have been taught that this is the rightful view of the subject by most illuminating debates in the House of Representatives.

The Constitution provides:

All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments, as on other bills.

My joint resolution provides that the Senate shall not amend a bill that is brought here from the House of Representatives for the purpose of raising revenue further than to draw into it such other duties and articles as may be embraced in the schedules in which the article sought to be affected is found.

I submit that this does not narrow the privileges or the rights of the Senate to the point required by the Constitution; and therefore when we adopt this joint resolution, no matter what its fate may be in the House, we are not abridging any right or privilege held by ourselves.

Now, mark you, I am not unfamiliar with the fact that there have been times when the Senate has exercised the power or right, if it may be so called, to build up a tariff law upon a most slender foundation presented by the House. I think that was done, as the Senator from Rhode Island [Mr. ALDRICH] mentioned personally to me this morning, in 1883, when the House did not resent the usurpation. The House accepted the work of the Senate; I mean accepted its work so far as its constitutionality was concerned. But that was not always true. In 1872 the House of Representatives passed a bill changing the duty upon tea and coffee, and those two subjects alone

were involved in the measure. The bill came over to the Senate and the Senate by amendments surrounded that bill with a complete tariff law, embracing every object that could fairly be brought within a tariff law, and, as I remember it, also added a series of administrative features concerning the execution of the law.

The bill so amended passed the Senate—it is a misnomer to call such things amendments. I know it is the parliamentary law, drawn from the practices of the House of Commons, that anything can be added to any bill. If it were not for the rules of the Senate you could add a tariff bill to an appropriation bill; you could add a measure for the control of the railways or of the trusts to a pension bill. If we were disposed to do it in the Senate now, we could do it. There is nothing in the rules of the Senate and there is nothing in parliamentary law that would prevent the antitrust bill or the railway regulation bill from being proposed as amendments to any pension bill that might be reported from the Committee on Pensions by the Senator from North Dakota. Fortunately we are not in the habit of dealing with subjects in that way. If we were, if that were to become the habit, and it were known that every pension bill would be encumbered with such extraneous and foreign propositions, it would not be long before, by the rules of the Senate and House, such amendments would be prohibited.

So this bill to which I have referred, and which came over to the Senate, passed back to the House, and Mr. Dawes, a very distinguished Representative from Massachusetts, proposed this resolution:

Resolved, That the substitution by the Senate, under the form of an amendment, for the bill of the House (H. R. No. 1537) entitled "An act to repeal existing duties on tea and coffee," of a bill entitled "An act to reduce existing taxes," containing a general revision, reduction, and repeal of laws imposing import duties and internal taxes, is in conflict with the true intent and purpose of that clause of the Constitution which requires that "all bills for raising revenue shall originate in the House of Representatives," and that therefore said substitute for House bill No. 1537 do lie upon the table.

And be it further resolved, That the Clerk of the House be, and is hereby, directed to notify the Senate of the passage of the foregoing resolution.

Thereupon Mr. Dawes submitted to the House a most interesting and, as I think, a most conclusive argument; and I may say that there was no difference of opinion or little difference of opinion in the House, no matter to what party the speaker might belong. There seemed to be such universal concurrence as to give the act of the House the color and complexion of an unprejudiced conclusion, so far as party interests were concerned. I do not read from Mr. Dawes, but I wish to read a few lines from the statement of Mr. Garfield, who afterwards became a member of this body and who, as you all know, afterwards became the President of the United States. He said:

What, then, is the reasonable limit to this right of amendment? It is clear to my mind that the Senate's power to amend is limited to the subject-matter of the bill. That limit is natural, is definite, and can be clearly shown. If there had been no precedent in the case, I should say that a House bill relating solely to revenue on salt could not be amended by adding to it clauses raising revenue on textile fabrics, but that all the amendments of the Senate should relate to the duty on salt.

To admit that the Senate can take a House bill consisting of two lines, relating specifically and solely to a single article, and can graft upon them in the name of an amendment a whole system of tariff and internal taxation, is to say that they may exploit all the meaning out of the clause of the Constitution which we are now considering and may rob the House of the last vestige of its right under that clause.

I am sure that this House, remembering the precedents which have been set from the First Congress until now, will not permit this right to be invaded on such a technicality.

Now, I will not say, for I believe it can not be held, the mere length of an amendment shall be any proof of invasion of the privileges of the House. True, we sent to the Senate a bill of three or four lines, and they have sent back a bill of 20 printed pages. I do not deny their right to send back a bill of a thousand pages as an amendment to our two lines. But I do insist that their thousand pages must be on the subject-matter of our bill. It is not the number of lines, nor is it—I now respond to my friend from Maine [Mr. Peters], who asked me a question—nor is it the amount of revenue raised or reduced of which we have a right to complain. We may pass a bill to raise \$1,000,000 from tea and coffee. The Senate may move so to amend it as to raise \$100,000,000 from tea and coffee, if such a thing was possible; or they may so amend it as to make it but \$1 from tea and coffee, or they may reject the bill altogether.

These are the views of a great student, not only of the Constitution, but of the rights and privileges of both the House and the Senate.

The debate is full of most instructive and most interesting illustrations and arguments. I read one more, and I read it because it is the utterance of the Senator from Maine [Mr. HALE], who was then a distinguished Member of the House, as he is now a distinguished Member of this body. I take it that his opinion with regard to this important subject has not changed in the meanwhile, because he seems to have reached the conclusion here announced after the greatest deliberation and study. He said:

Mr. Speaker, the position the House is evidently disposed to take on this grave question is not one of mere technicalities. The restriction

in the Constitution is one of the gravest importance embodied in that instrument, as has been stated by the gentleman from Massachusetts [Mr. Dawes] and the gentleman from Ohio [Mr. Garfield], in order to counterbalance the power of the Senate. Now, this restriction as to the right of originating revenue bills is worth nothing to the House unless it carries with it—and it seems to me this is the force of the restriction—a limitation of the right of the Senate to amend. The House has the sole right of originating revenue bills. If that right is good for anything, it must carry with it the right of selecting the objects upon which revenue is to be raised, and if that is the force of the privilege given to the House, then the privilege of amendment must necessarily be restricted to the subject matter which the House has selected and embraced in its revenue bills; so that, to my mind, the answer to the question put by my colleague [Mr. Peters] is clear and distinct, the construction is literal, that any amendment of the Senate must be confined to the subject matter selected by the House in the exercise of its prerogative as the popular body, and to the objects of taxation which it has embraced in its revenue bill.

Mr. HALE, then a Member of the House, then proceeded to refer with great clearness to the arguments of Mr. Clay with respect to the matter. I follow this debate along until I reach the vote, and then I find the question was taken, and there were—yeas 153, nays 9, not voting 78.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Will the Senator suspend one moment? The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce."

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none.

Mr. ALDRICH. Do I understand the Senator from Iowa to agree to the contention of the Senator from Maine and the Member from Ohio in regard to this matter?

Mr. CUMMINS. I do. I believe the right given by the Constitution to the House to originate revenue bills is of no value whatsoever unless it be accompanied by an interpretation or construction such as was put upon it by the House in 1872, led by the distinguished statesmen whose names I have given to the Senate. I realize, of course, that the precedent there established has been ignored at times, nor is it material to the present discussion at all. I refer to it for the purpose of saying to the Senate that the rule which I propose is not a real abridgment of the rights of the Senate. It is an abridgment probably of rights which the Senate at times has sought to exercise and has exercised without protest upon the part of the House; but if we were to confine ourselves to the spirit as well as the letter of the Constitution we would not bring forward amendments embracing other subjects than those which are found in the bill which the House presents to us for our consideration.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The Senator of course is aware that the subject which he is now considering and discussing is vastly more important to the people of this country and to this body than anything which is involved in the rule under discussion. It is true that in 1872 there was a precedent established of the character which he has referred to. But that was the last time, and I believe the only time in the history of this Government, when any such action was taken.

Mr. BEVERIDGE. Was not the duty removed on anthracite coal without touching the tariff in any other particular?

Mr. ALDRICH. That has nothing whatever to do with this matter.

Mr. BEVERIDGE. So tariff changes have been made in that way.

Mr. ALDRICH. That has nothing whatever to do with the question we are now discussing as to the power of the Senate to amend a tariff law.

Mr. BEVERIDGE. The Senator said that was the only precedent. There has been another.

Mr. ALDRICH. That has nothing whatever to do with the proposition now made by the Senator from Iowa. In 1883 the House passed an internal-revenue bill. It contained not one single item referring to the tariff. It came to the Senate and the Senate put an entire tariff revision upon it. I say when it came here it had nothing whatever to do with the tariff system and was purely an internal-revenue bill, and because it was a revenue bill we claimed our right under the Constitution to

amend it as other bills could be amended, and we sent it back to the House and the House accepted it.

In 1890, which was the next revision, the House sent us the bill known as the McKinley bill. We made twelve hundred amendments to it.

Mr. CUMMINS. Precisely; but you did not violate any rule.

Mr. ALDRICH. The House accepted our amendments. In 1894 there was a more significant illustration. Both Houses of Congress and the President being then Democratic, the House sent us a bill, and the Senate changed it so that the President thought and the people of the country thought it made an entire change of the House bill. It was sent back to the House, and the House accepted it without even a committee of conference and without any disagreement at all on the amendments.

In 1897 we followed the precedent made in 1890. In 1909 we did the same thing. The bill which we sent back to the House of Representatives had entirely new provisions, which had nothing whatever to do with the bill as it came to us from the House.

The question of the right of the Senate to amend tariff bills is a fundamental question. If the Senator's contention is right, he would nullify the equal representation of States in this body and disturb one of the great compromises of the Constitution, and it is more revolutionary in its character, more destructive of the rights of the States and of their representatives in this body than any other doctrine that could be announced.

Mr. CUMMINS. Mr. President, I would not have the Senator from Rhode Island understand that it is necessary for me to adopt the view of the Constitution which I have just suggested in order to stand for or favor the resolution which I have presented. But I nevertheless reassert the soundness of the position taken by the House of Representatives in 1872. I have only mentioned it for the reason that it seemed to me that it would aid somewhat in our consideration of this resolution when we remembered that we were not confining ourselves to the Constitution as it was asserted in 1872 by the House. The rule, in other words, does not limit amendments as closely as it was claimed by the House in 1872 they are limited by the Constitution. However, on the broad question of public policy, as well as upon the interpretation of the Constitution, I am in sympathy with the position taken by the House in 1872, and I yield to the force of the arguments then presented by Mr. Dawes, and Mr. Garfield, and Mr. Butler, and Mr. HALE, and many others whose names are well known in the history of our country.

The Senator from Rhode Island speaks of the compromises of the Constitution. He must remember, for he is a careful student of history, that the compromise of the Constitution was between the equal representation in the Senate of the United States and the exclusive right of the House of Representatives to originate revenue bills. This country organized the Senate as it is now organized upon consideration that the House should have the sole right to originate bills for the purpose of raising revenue.

It seems to me that his view has in some way transposed this compromise. We granted to the House this right in order that each State might be represented in the Senate, no matter how large or how small it might be, by two Senators. The people would never have created this tribunal as it was created if we had not said to the people of the colonies that the popular assembly, the House of Representatives, should have the sole right to originate such bills as this. They could not anticipate, they did not anticipate, any such tariff bill as we now have.

Mr. BACON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I do.

Mr. BACON. I simply want to ask the learned Senator if he does not think the adoption of that fundamental rule was rather a recognition of what had been the custom for centuries of the country from which we derive our institutions, that revenue bills should originate in the popular branch, rather than that it should have had its origin in the spirit of compromise to which the Senator alludes. Of course, there were a great many compromises in the Constitution, in which the composition of the Senate and the authority of it played a very conspicuous part, but I do not think the mere character of revenue bills led to a compromise in the composition of Congress. I am satisfied that the framers of the Constitution recognized the fundamental proposition which had been known so long in England, to wit, that revenue bills should originate in the popular branch of the Government.

Mr. CUMMINS. Undoubtedly the thought that revenue bills ought to originate in the popular branch of government arose

from the history of the English people and the history of the House of Commons, but when it came to crystallize this thought in the Constitution of the United States, then the equal representation of the States in the Senate played a very important part. It was not conceded in the Constitutional Convention that all revenue bills should originate in the House of Representatives. As the Senator well knows, there was a bitter struggle against equal representation in the Senate, and the compromise of which we speak, of course, was not a written agreement that in consideration of the House originating revenue bills the States should be equally represented in the Senate. I mean that the preservation, if you please, in the popular branch of the Government of the right to originate revenue bills, accompanied or induced the consent of those who were opposed to it, partially, at least, to the plan that the States should be equally represented in this body.

Mr. ALDRICH. If the Senator will allow me a moment—

Mr. CUMMINS. I did not intend to drift into an argument upon this subject.

Mr. ALDRICH. Just a moment. Does the Senator contend that there is any limitation on the right of the Senate to amend other bills than revenue bills?

Mr. CUMMINS. I do not; except as it has adopted rules for that purpose.

Mr. ALDRICH. Then, what does the language of the Constitution mean when it says "as on other bills?" Where do you get your limitation on the power to amend revenue bills?

Mr. CUMMINS. I have read the discussions of men whose opinions are entitled to great respect, who have given their reasons for believing that this phrase or clause of the Constitution should be so construed. I do not intend at this time to enter upon the discussion from my own individual standpoint. I ventured to concur with Mr. Dawes and with Mr. Garfield, and with Mr. Hale and with Mr. Butler, and with everybody else who spoke upon that subject in the House in 1872 upon this matter. I did it only as a suggestion that in adopting this rule the Senate was not abridging its privileges at all; that we were not by the rule bringing the Senate down to the point which the Constitution prescribes for it.

I may say, however, in answer to the suggestion of the Senator from Rhode Island, and I suppose he will agree with me, that when a bill comes to the Senate from the House, the present right of amendment, as defined in general parliamentary law, will permit the Senate to attach to that bill any amendment whatsoever, it makes no difference what the subject is.

Mr. ALDRICH. It would not include every bill, of course. Under the Constitution we have no power to originate revenue bills, and that would be the origination of a revenue bill.

Mr. CUMMINS. The Senator from Rhode Island, it seems to me, is falling into an inconsistency. If the House brings us a bill for a pension and we attach to it a revenue bill—

Mr. ALDRICH. That is clearly not in our power.

Mr. BEVERIDGE. What can we attach to it? That is very important.

Mr. CUMMINS. I assume the Senator from Rhode Island denies our right to attach to it a revenue bill. Why? Because in so doing we would originate a revenue bill. That is right, is it not? Does the Senator from Rhode Island hold that a revenue bill can originate by an amendment?

Mr. ALDRICH. I think it would be clearly against the spirit of the Constitution.

Mr. BAILEY. And against the letter.

Mr. ALDRICH. And against the letter.

Mr. CUMMINS. I agree with the Senator from Texas.

Mr. ALDRICH. I think it would be against both the spirit and the letter.

Mr. CUMMINS. It would be against both the spirit and the letter.

Mr. ALDRICH. But that is not the question I am discussing.

Mr. CUMMINS. I am asking the Senator if he distinguishes between the original introduction of a bill and an amendment to a bill. You must agree with me, therefore, that a revenue bill may be originated by an amendment to another bill as well as by original introduction.

Mr. ALDRICH. But if it is a revenue bill a different rule under the Constitution applies. There is no limitation.

Mr. CUMMINS. The Senator from Rhode Island does not answer my question. I will reach that in a moment. I ask it again. Does the Senator believe that a revenue bill can originate by amendment to another bill as well as by original introduction?

Mr. ALDRICH. It depends entirely on what the House bill is.

Mr. CUMMINS. Then, the Senator—

Mr. ALDRICH. If the House sends us a revenue bill, originated in the House of Representatives, an amendment to that bill would not be the origination of a revenue bill.

Mr. CUMMINS. But the Senator from Rhode Island agrees at least, and I am glad he does, that if the House were to pass a pension bill and it were transmitted to the Senate and the Senate were to try to amend it by engrafting upon it or adding to it a revenue bill, we would then be attempting, contrary to the Constitution, to originate a revenue bill. Therefore, he agrees that a revenue bill can originate by amendment as well as by original introduction.

Mr. ALDRICH. My contention is that if the House sends us a bill which is clearly a bill answering the constitutional description of a revenue, we can amend it here in any direction we choose, as we can amend other bills.

Mr. BEVERIDGE. May I ask the Senator from Rhode Island a question?

Mr. ALDRICH. Wait a minute. I say if the House sends us a bill which is not a revenue bill and we undertake by indirection to violate the Constitution, we could not do it.

Mr. CUMMINS. The Senator of course states a case, but he refuses to assent to or dissent from the principle I have endeavored to suggest.

Mr. ALDRICH. I dissent entirely from the principle, if I understand it, that the Senator is trying to get me to assent to. I dissent of course from the proposition that if the House sends us a revenue bill and we amend it in any particular, we originate a revenue bill and are therefore undertaking to do something forbidden by the Constitution. If that is the contention of the Senator I dissent entirely from it, of course.

Mr. CUMMINS. I am not asking the Senator from Rhode Island to agree with me in my contention. I am asking whether he agrees with me on certain principles that I announce—

Mr. ALDRICH. I see no principle involved.

Mr. CUMMINS (continuing). Namely, that a revenue bill can originate by our amendment as well as by original introduction.

Mr. ALDRICH. That is not a principle. It is a fact which depends entirely upon the nature of the bill in both cases.

Mr. CUMMINS. Then I despair of getting any answer to my question.

Mr. BEVERIDGE. Will the Senator from Iowa permit me? The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I do.

Mr. BEVERIDGE. I wish to ask a question of the Senator from Rhode Island. The Senator has raised here as important a question of legislation as can possibly be raised. He quotes the language of the Constitution, "as on other bills," and then uses, at my suggestion, the illustration of a pension bill coming here. Now, then, what does the Senator from Rhode Island say can be added to a private pension bill that is received from the House?

Mr. ALDRICH. Anything outside of legislation or amendments that are prevented by the Constitution of the United States.

Mr. BEVERIDGE. But what are they?

Mr. ALDRICH. Revenue bills.

Mr. BEVERIDGE. Then if a private pension bill comes to the Senate, the Senate by amendment can add anything at all to it except a bill which refers to the revenue.

Mr. ALDRICH. If the Senate decides that it is germane.

Mr. BEVERIDGE. It is a question for the Senate?

Mr. ALDRICH. Yes; under the rules of the Senate, of course.

Mr. CUMMINS. I dissent from the proposition that there is any rule which requires amendments generally to be germane.

Mr. ALDRICH. We have a rule of that kind.

Mr. BEVERIDGE. The Senator, then, disagrees now from the position of the Senator from Georgia, to which he agreed a moment ago, that the rules of the Senate actually limit our constitutional rights—

Mr. ALDRICH. Not at all.

Mr. BEVERIDGE. Because he says under the Constitution we have the right to add to a private bill any legislation except a revenue bill.

Mr. ALDRICH. There are no provisions on the subject in the Constitution. That matter is determined, of course, by general parliamentary law as interpreted by the Senate rule.

Mr. BEVERIDGE. Oh, no.

Mr. ALDRICH. We are a coordinate branch of the legislature, and we have the right, I assume, if not restricted by the Constitution, to amend any bill which comes from the House of Representatives in any form we please, and the House has the

same right under their rules and general parliamentary law. Of course, we are bound to assume that the Senate would not, if it were an ordinary pension bill, put on a railway rate bill, for instance.

Mr. BEVERIDGE. That is a matter of judgment.

Mr. ALDRICH. That is a matter which commends itself to the proprieties of the Senate itself. We are supposed to be acting here with ordinary common sense.

Mr. BEVERIDGE. So we are limited then?

Mr. ALDRICH. I hope we are limited in that particular direction.

Mr. BEVERIDGE. I think we all see very clearly. The Senator has gone very broadly. I think he is right myself, and I am glad it is on record. He says we can amend any bill coming to us not a revenue measure in any way we please except by the initiation of a revenue bill.

Mr. ALDRICH. Does the Senator know of any other limitation?

Mr. BEVERIDGE. I was asking the Senator's opinion on that matter. I think it will be interesting later.

Mr. CUMMINS. This is an interesting colloquy. The Senator from Rhode Island hopes that we will always be guided by common sense. I am not so optimistic as the Senator from Rhode Island. I can easily see we might fall into the habit of obstructing legislation by these amendments taking a wide range, just as we have fallen into the habit of prohibiting tariff legislation by compelling Congress at any time that the subject is touched to embrace the whole field. But now, mark you, if it is true that a revenue bill can originate by an amendment to a bill, it is of course true that a revenue bill can originate by an amendment to a revenue bill as well as an amendment to any other bill. It depends upon other considerations as to whether it is an origination of a revenue measure or not.

The House of Representatives in 1872 insisted that the right of amendment which was given to the Senate, which constitutes an exception to the prohibition against the Senate with regard to revenue measures, does not include the right to bring in other subjects than those proposed by the House, and the House reached that conclusion by declaring that whenever any other subject was brought in by way of amendment it constituted the origination of a revenue bill, and therefore could not be or would not be permitted under the Constitution.

Mr. BAILEY. Will the Senator from Iowa permit me a moment?

Mr. CUMMINS. Certainly.

Mr. BAILEY. Suppose the House were to send to the Senate a direct taxation bill, for instance, levying a given per cent on all property. The Senator does not doubt that the Senate would have the right to strike that out and insert an income tax bill? In other words, the House having determined the necessity of raising revenue, the Senate may disagree with the House as to the particular object on which it shall be raised and substitute one agreeable to its own judgment. I would hate to concede we did not have that power.

Mr. CUMMINS. I am prepared to admit that the Senate may judge as to the amount of revenue to be raised, and may effect that by any amendment it may choose to propose, but I am not ready to admit that the Senate may change the object or the subject of the taxation in order to raise the revenue. I had no thought of entering into a discussion of that sort. I reminded the Senate of the debate in 1872, a debate that is somewhat famous in the literature of Congress, and I only brought it forward, as I have suggested many times, for the purpose of showing that if this view of the Constitution were to be received—and I concur in that view—then this rule ought not to be objected to in the Senate, but that if it finds objectors, they would naturally be in the House of Representatives.

Mr. BAILEY. The trouble about that view of the Constitution is that, if accepted, it confines the Senate almost entirely to differences in rates, and gives us no power to select the object of taxation. Now, the Constitution must have intended to mean something when it authorized the Senate to concur with amendments as in the case of other bills.

Going back to the illustration a moment ago, I have no doubt if the House would send us a pension bill we could amend it by a bill appropriating money to sustain the Army, provided we kept the appropriation within the two years required by the Constitution, or we could amend it by creating an additional circuit judge of the United States.

Of course, the Senate might disable itself from doing it by its own rules, but I do not subscribe to the doctrine of the Senator from Rhode Island that we are necessarily confined by the rules of general parliamentary law, for the Constitution expressly authorizes each House to prescribe and determine its own rules, and we could by a rule expressly provide that the general parliamentary law should not prevail here.

Mr. ALDRICH. I have no doubt of that at all.

Mr. BAILEY. I understood the Senator to say we had to do these things according to general parliamentary law.

Mr. ALDRICH. I meant, of course, as interpreted by the Senate rules.

Mr. BAILEY. I misunderstood the Senator, probably, but I understood him to say that.

Mr. CUMMINS. That was the interpretation of the Senator from Indiana.

Mr. BAILEY. I do believe, however, that the one limitation upon us is that we would not engraft a revenue bill on any other kind of a bill, because all bills raising revenue must originate there. I think the Senator is right that you can originate a bill by amendment just as well as you can in any other way.

There would be much ground for the argument if the Constitution, after disabling us from originating revenue bills, had not then added that we might concur with amendments as in the case of other bills. Except for that language, I think the Senator from Iowa would be very nearly right in his contention.

Mr. CUMMINS. Mr. President, my view of it is that inasmuch as it is acknowledged by all Senators, I think, and all thinking persons that the Senate is not bound by any limit as to the amount of revenue to be raised, it must be bound by this prohibition of the Constitution in some other respect. The Constitution meant something when it declared that all bills to raise revenue must originate in the House of Representatives. If we are not bound by the judgment of the House with respect to the amount of revenue, if we are not bound by the action of the House with regard to the subjects upon which the revenue is to be raised, then there is no practical limitation whatsoever. I repeat that when a revenue bill comes from the House relating to tea and coffee, as was the case in 1872, and the Senate should proceed to attach to that a system of internal taxation upon spirits or upon tobacco, we have originated that revenue bill so far as such an amendment is concerned. A bill may originate in the sense of the Constitution just as truly and as completely by amendment as it can originate by introduction. Therefore I have been impelled to adopt the conclusions which these honored and distinguished leaders of the House reached in 1872, and I repeat that I only mention it here in order that Senators may know that they are not abridging their own rightful powers and privileges by the adoption of a rule such as I have proposed.

When this resolution reaches the House, then quite a different proposition will arise, because unquestionably it does rearrange substantially the rules of the House of Representatives, and it will be for the House to determine whether it would rather have the unlimited right of amendment to revenue bills or to tariff bills or to bills that seek to change the present tariff law, or whether it would rather have the practical privilege, of which it now enjoys only the abstract possession, to amend in fact the existing statute.

Mr. President, I have consumed a great deal more time than I intended.

Mr. BACON. Mr. President—

Mr. CUMMINS. My only apology is that comparatively little of it has been consumed by me, though. I have not hesitated to yield to hear the discussion that arose upon interruptions, and I now yield to the Senator from Georgia.

Mr. BACON. Mr. President, before the Senator concludes I wish to make a suggestion which may be pertinent to the very interesting discussion as to the origin of the provision in the Constitution both as to where bills of revenue should originate and as to the power of the Senate to make amendments. I desire to call the attention of the Senator to some of the constitutional history of England, with which I am sure he is entirely familiar, which may in a measure elucidate the question.

Of course we all know the fact that in the early history of England taxes were levied by the monarch without the intervention of any parliamentary body. That led to resistance on the part of those who had to pay the taxes, and in a way which I need not stop to narrate in any manner the House of Commons was developed and formed.

The question of taxation was the principal thing which caused the development and formation of that body, the thing which brought it into being. The crucial question was whether or not the monarch should levy the taxes without the consent of the people—not as to the quantity or the amount of the taxation or the object for which it should be levied, but whether any taxation should be levied upon the people without the consent of their representatives. That was the fundamental proposition finally established, that no taxes could be levied without the consent of the representative branch. It went still further; it went to the extent that it became the unwritten constitution of Great Britain that the House of Lords could not amend the

revenue bills of the House of Commons, and for hundreds of years that has been the practice, if not recognized law.

Mr. CUMMINS. And that is a very interesting and vital question now.

Mr. BACON. It has been recognized law, so far as that could be manifested by the practice of centuries, that the House of Lords shall not amend revenue bills, and that is now the basis of the great political controversy which is being waged in England. So that the question was settled in two respects. The first was that there should be no taxation without the consent of and without the origination in the House of Commons, which was the representative body. That was a barrier which was insurmountable, not simply that there should not be great taxation or unjust taxation, but the barrier put up was that there should be no taxation unless it originated in the House of Commons, which represented the great body of the people. Then there was the adjunct to it that the House of Lords should not amend a revenue bill.

When the Constitution was framed by our fathers that was the recognized law of Great Britain; that was the precedent they had before them, because we know that our Constitution, while it is republican and while that of England is monarchical, is in large degree, except as to the particular form of government, as to all its fundamental principles founded upon the constitution of Great Britain. Members of the convention then had to face the question, Shall we adopt the policy as it is in Great Britain or shall we modify it? They concluded they would adopt it to the extent that there should be no revenue bill, no taxation assessed, unless it originated with the body representing the people. The next question was, Shall the Senate participate, or shall it be as the House of Lords is—without the power to amend? They determined that the Senate, representing the States, while it could not originate revenue bills, should have the power of amendment, and it was intended, when the Constitution expressly said that the Senate should have the power of amendment "as on other bills," to make that radical and far-reaching change in the fundamental law as it existed in Great Britain at that time, which denied to the upper house the right to make any amendments whatsoever to revenue bills.

It seems to me, Mr. President, that that throws light upon the question of what was the intention in conferring upon the Senate the power to amend revenue bills, and as to what was the purpose and what is the legitimate scope of the grants of power contained in the Constitution when its framers faced the proposition with the precedent before them which they then had and by which they were in part guided.

Mr. CUMMINS. Mr. President, I do not question at all the accuracy of the development of the history of this question, as stated by the Senator from Georgia. I, however, do not draw the same conclusion from it. I agree that there is in the Senate the right of amendment of revenue bills originating in the House. I only deny that the right of amendment can be so exercised as to destroy the privilege which was granted exclusively to the House.

I hope, in the further consideration of this subject, whether by the committee or by the Senate as a whole, if the resolution which I have proposed be found not the most effective way to reach the desired result, that our united efforts will find some way in which the tariff law passed in 1909 can be amended. That is the sole purpose of the joint resolution. It is a humiliating confession, as it seems to me, for the Members of Congress to make that they have enacted a law which, by reason of its character, by reason of the parliamentary privileges which surround any proposal to amend it, becomes unalterable until it is completely overthrown, either by the substitution of such a law as Senators upon the other side of the Chamber will propose, if they have the opportunity to do so, or by such a revision as will be proposed by Senators upon this side of the Chamber when the wrath and the indignation of the people compel them to move.

I move that the joint resolution be referred to the Committee on Rules.

Mr. HALE. Before the joint resolution is referred—

Mr. CUMMINS. I have no disposition to press the submission of the motion.

Mr. HALE. The Senator will not object when he hears my statement.

Mr. CUMMINS. I am perfectly willing to leave it open to debate to any extent.

Mr. HALE. The junior Senator from Iowa [Mr. YOUNG], the colleague of the Senator who has just taken his seat, desires to speak upon the joint resolution before its reference. His arrangements are such that he can not speak either to-day or to-morrow, and he has given notice that he will address the Senate upon the joint resolution on Thursday morning. As to-morrow will be taken up by the Senator from New Hamp-

shire [Mr. BURNHAM] with his bill, I rise for the purpose of asking that the joint resolution lie upon the table for the present, so as to give the junior Senator from Iowa an opportunity to address the Senate upon it on Thursday.

The PRESIDENT pro tempore. Is there any objection to the request of the Senator from Maine? The Chair hears none, and the joint resolution will lie on the table.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 14, 1910, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate December 13, 1910.

COLLECTOR OF CUSTOMS.

G. Edward Schulz, of Wisconsin, to be collector of customs for the district of Milwaukee, in the State of Wisconsin, in place of William H. Devos, whose term of office expired by limitation on December 21, 1909.

PROMOTIONS IN THE NAVY.

Midshipman Timothy J. Keleher to be an ensign in the Navy from the 6th day of June, 1910, to fill a vacancy existing in that grade on that date.

Passed Asst. Paymaster Frank T. Watrous to be a paymaster in the Navy from the 2d day of October, 1910, vice Paymaster Walter A. Greer, resigned.

Asst. Paymaster John J. Luchsinger to be a passed assistant paymaster in the Navy from the 1st day of January, 1910, vice Passed Asst. Paymaster Ervin A. McMillan, promoted.

Asst. Paymaster Joseph E. McDonald to be a passed assistant paymaster in the Navy from the 2d day of October, 1910, vice Passed Asst. Paymaster Frank T. Watrous, promoted.

Asst. Paymaster Everett G. Morsell to be a passed assistant paymaster in the Navy from the 2d day of November, 1910, vice Passed Asst. Paymaster Edwards S. Stalnaker, promoted.

The following-named citizens to be assistant paymasters in the Navy from the 7th day of December, 1910, to fill vacancies existing in that grade on that date:

Smith Hempstone, a citizen of the District of Columbia;
Harry W. Rusk, jr., a citizen of Maryland; and
Harold C. Gwynne, a citizen of Virginia.

POSTMASTER.

James R. Hopley to be postmaster at Bucyrus, Ohio, in place of Joseph E. Hall. Incumbent's commission expires January 29, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 13, 1910.

CONSUL GENERAL.

David F. Wilber to be consul general at Vancouver, British Columbia, Canada.

CONSULS.

Allen Gard to be consul at Celba, Honduras.
James Verner Long to be consul at Venice, Italy.
John Q. Wood to be consul at Tripoli, Tripoli.
George N. West to be consul at Kobe, Japan.

COLLECTORS OF CUSTOMS.

William H. Northup to be collector of customs for the district of Pensacola, Fla.

Charles J. Byrns to be collector of customs for the district of Superior, Mich.

John C. Ames to be collector of customs for the district of Chicago, Ill.

SURVEYOR OF CUSTOMS.

Julius S. Starr to be surveyor of customs for the port of Peoria, Ill.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. Walker Waller Joynes to be captain.

Second Lieut. Edward Shanley Addison to be first lieutenant.

Second Lieut. Joseph Henry Crozier to be first lieutenant.

Second Lieut. William Henry Shea to be first lieutenant.

Second Lieut. William Albert Whittier to be first lieutenant.

Third Lieut. Louis Leon Bennett to be second lieutenant.

Third Lieut. John H. Cornell to be second lieutenant.

Third Lieut. Gordon Thomas Finlay to be second lieutenant.

Third Lieut. William Pitts Wishaar to be second lieutenant.
 Third Lieut. William Williams to be second lieutenant.
 Cadet Charles George Roemer to be third lieutenant.
 Second Lieut. of Engineers Edwin Williams Davis to be first lieutenant of engineers.

PROMOTIONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Passed Asst. Surg. Henry W. Wickes to be surgeon.
 Benedict J. Duffy to be assistant surgeon.
 Lewis R. Thompson to be assistant surgeon.

SOLICITOR FOR STATE DEPARTMENT.

J. Reuben Clark, jr., to be Solicitor for the Department of State.

SOLICITOR OF THE TREASURY.

William T. Thompson to be Solicitor of the Treasury.

UNITED STATES ATTORNEYS.

E. H. Randolph to be United States attorney for the western district of Louisiana.

Alexander Dunnett to be United States attorney for the district of Vermont.

Bernard S. Rodey to be United States attorney for the District of Alaska, Division No. 2.

Fred. C. Wetmore to be United States attorney for the western district of Michigan.

Oscar Cain to be United States attorney for the eastern district of Washington.

UNITED STATES DISTRICT ATTORNEY.

Frank E. Hinckley to be district attorney of the United States court for China.

UNITED STATES MARSHALS.

Ben. Ingouf to be United States marshal for the western district of Louisiana.

Albert J. Martin to be United States marshal for the western district of Missouri.

CLERK OF THE UNITED STATES COURT FOR CHINA.

James B. Davies to be clerk of the United States court for China.

AUDITOR FOR PORTO RICO.

Jesse W. Bonner to be auditor for Porto Rico.

REGISTER OF THE LAND OFFICE.

Arthur E. Curren to be register of the land office at Fort Sumner, N. Mex.

RECEIVER OF PUBLIC MONEYS.

Enrique H. Salazar to be receiver of public moneys at Fort Sumner, N. Mex.

PROMOTIONS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants:

Roy C. Smith,
 Arthur C. Stott, jr.,
 Edmund S. Root, and
 Arthur W. Sears.

The following-named ensigns to be lieutenants (junior grade):

Roy C. Smith,
 Arthur C. Stott, jr.,
 Edmund S. Root,
 Arthur W. Sears,
 Nelson H. Goss,
 Stanford C. Hooper,
 Walter H. Lassing,
 William L. Culbertson, jr.,
 Theodore G. Ellyson,
 Wilhelm L. Friedell,
 Edward S. Robinson,
 John J. London,
 John W. Wilcox, jr.,
 Laurance N. McNair,
 Halford R. Greenlee,
 Lloyd W. Townsend,
 Benjamin H. Steele, and
 Kenneth Whiting.

Lieut. (Junior Grade) George M. Baum to be a lieutenant.

Lieut. (Junior Grade) Isaac C. Johnson, jr., to be a lieutenant.

Lieut. (Junior Grade) Leigh M. Stewart to be a lieutenant.

Lieut. William C. Watts to be a lieutenant commander.

Lieut. (Junior Grade) George V. Stewart to be a lieutenant.

Lieut. (Junior Grade) Arthur K. Atkins to be a lieutenant.

Lieut. (Junior Grade) Isaac F. Dortch to be a lieutenant.

Commander George E. Burd to be a captain.

Commander John H. Shipley to be a captain.

Commander James H. Oliver to be a captain.

Commander John E. Craven to be a captain.

Commander John J. Knapp to be a captain.

Commander John Hood to be a captain.

Commander Edward E. Hayden to be a captain.

Commander Benjamin C. Bryan to be a captain.

Commander Charles H. Harlow to be a captain.

Commander Clarence A. Carr to be a captain.

Commander William A. Gill to be a captain.

Commander Harold P. Norton to be a captain.

Commander Frank M. Bennett to be a captain.

Commander John H. Gibbons to be a captain.

Lieut. Commander Louis A. Kaiser to be a commander.

Lieut. Edward T. Constien to be a lieutenant commander.

Lieut. Commander William C. Cole to be a commander.

Lieut. Commander Frederic B. Bassett, jr., to be a commander.

Lieut. Commander Herbert G. Gates to be a commander.

Lieut. Commander Richard H. Jackson to be a commander.

Lieut. Commander Arthur B. Hoff to be a commander.

Lieut. Commander Nathan C. Twining to be a commander.

Lieut. Commander Benjamin F. Hutchison to be a commander.

Lieut. Commander Thomas P. Magruder to be a commander.

Lieut. Commander Sumner E. W. Kittle to be a commander.

Lieut. Commander William V. Pratt to be a commander.

Lieut. Commander Louis M. Nulton to be a commander.

Lieut. Commander George R. Marvell to be a commander.

Lieut. Commander William D. MacDougall to be a commander.

Lieut. Commander George B. Bradshaw to be a commander.

Lieut. Commander Cleland N. Offley to be a commander.

Lieut. Commander Louis R. de Steiguer to be a commander.

Lieut. Commander Philip Williams to be a commander.

Lieut. Commander William W. Phelps to be a commander.

Lieut. Commander John B. Patton to be a commander.

Lieut. Commander Charles A. Brand to be a commander.

Lieut. Fletcher L. Sheffield to be a lieutenant commander.

Lieut. Henry C. Dinger to be a lieutenant commander.

Lieut. Lyman A. Cotten to be a lieutenant commander.

Lieut. Edward Woods to be a lieutenant commander.

Lieut. Louis Shane to be a lieutenant commander.

Lieut. Alexander N. Mitchell to be a lieutenant commander.

Lieut. Frank L. Pinney to be a lieutenant commander.

Lieut. William P. Cronan to be a lieutenant commander.

Lieut. William T. Tarrant to be a lieutenant commander.

Lieut. Walter B. Tardy to be a lieutenant commander.

Lieut. William B. Wells to be a lieutenant commander.

Lieut. Clarence A. Abele to be a lieutenant commander.

Lieut. Irwin F. Landis to be a lieutenant commander.

Lieut. David C. Hanrahan to be a lieutenant commander.

Lieut. Thomas L. Johnson to be a lieutenant commander.

Lieut. Yancey S. Williams to be a lieutenant commander.

Lieut. (Junior Grade) Jonathan S. Dowell, jr., to be a lieutenant.

Lieut. (Junior Grade) Stanford C. Hooper to be a lieutenant.

Lieut. (Junior Grade) William O. Spears to be a lieutenant.

Lieut. (Junior Grade) Walter H. Lassing to be a lieutenant.

Lieut. (Junior Grade) John M. Poole, 3d, to be a lieutenant.

Lieut. (Junior Grade) Harry E. Shoemaker to be a lieutenant.

Lieut. (Junior Grade) John H. Newton, jr., to be a lieutenant.

Lieut. (Junior Grade) Andrew F. Carter to be a lieutenant.

Lieut. (Junior Grade) Albert Norris to be a lieutenant.

Lieut. (Junior Grade) Anthony J. James to be a lieutenant.

Lieut. (Junior Grade) William E. Eberle to be a lieutenant.

Capt. Charles E. Fox to be a rear admiral.

Capt. John C. Fremont to be a rear admiral.

Capt. Thomas B. Howard to be a rear admiral.

Capt. Albert Mertz to be a rear admiral.

Surg. John H. Iden to be a surgeon.

Surg. Frederick A. Asserson to be a surgeon.

Passed Asst. Surg. William Seaman to be a surgeon.

Passed Asst. Surg. Royall R. Richardson to be a surgeon.

Passed Asst. Surg. Henry A. Dunn to be a surgeon.

Passed Asst. Surg. Allan Stuart to be a surgeon.

Passed Asst. Surg. Jacob Stepp to be a surgeon.

Passed Asst. Surg. Herbert M. Tolfree to be a surgeon.

The following-named assistant surgeons to be passed assistant surgeons:

Montgomery A. Stuart,

Rudolph I. Longabaugh,

Frank X. Koltes,

William H. Short,

Herbert L. Kelley,

Julian T. Miller,

George B. Tribble,

Henry L. Dollard,

Harry R. Hermesesch,

Harry L. Smith,
Willard G. Steadman, jr.,
Martin Donelson,
Myron C. Baker,
Elmer E. Curtis,
Dow H. Casto,
Andre E. Lee,
John O. Downey,
Spencer L. Higgins,
Renier J. Straeten,
Isidore F. Cohn,
Howard F. Lawrence, and
Archibald M. Fauntleroy.
Surg. Eugene P. Stone to be a medical inspector.
Medical Insp. Charles T. Hibbett to be a medical director.
Surg. George Pickrell to be a medical inspector.
Pay Director Thomas J. Cowie to be Paymaster General, and
Chief of the Bureau of Supplies and Accounts.
Naval Constructor Richard M. Watt to be Chief Constructor,
and Chief of the Bureau of Construction and Repair.
Chief Constructor Washington L. Capps to be a Chief Con-
structor in the Navy.
Capt. Vincendon L. Cottman to be a rear admiral.
Commander Thomas Snowden to be a captain.
Commander Kenneth McAlpine to be a commander.
Lieut. George C. Sweet to be a lieutenant commander in the
Navy.
The following-named midshipmen to be ensigns:
Francis Cogswell,
James McC. Irish,
John C. Hilliard, and
Harold A. Strauss.
Machinist William B. Cothran to be an ensign.
The following-named assistant surgeons to be passed assistant
surgeons:
Charles W. O. Bunker and
Gordon D. Hale.
Asst. Surg. Montgomery E. Higgins to be a passed assistant
surgeon.
The following-named citizens to be assistant surgeons:
Edward P. Halton,
Arnold L. Jacoby,
William E. Eaton,
William H. Halsey,
James G. Omelvena,
Jasper V. Howard,
Lester L. Pratt,
John J. O'Malley,
Clarence C. Kress,
Robert F. Sheehan, and
Daniel D. V. Stuart, jr.
Chaplain Walter G. Isaacs, with the rank of commander, to
be a chaplain with the rank of captain.
Chaplain Bower R. Patrick, with the rank of lieutenant com-
mander, to be a chaplain with the rank of commander.
Chaplain Matthew C. Gleeson, with the rank of lieutenant, to
be a chaplain with the rank of lieutenant commander.
Naval Constructor Lloyd Bankson, with the rank of com-
mander, to be a naval constructor with the rank of captain.
Naval Constructor Thomas F. Ruhm, with the rank of lieuten-
ant commander, to be a naval constructor with the rank of
commander.
The following-named assistant naval constructors to be naval
constructors:
William McEntee,
William B. Ferguson, jr., and
John A. Spilman.
Civil Engineer Robert E. Peary, with the rank of commander,
to be a civil engineer with the rank of captain.
Civil Engineer Adolfo J. Menocal, with the rank of lieutenant
commander, to be a civil engineer with the rank of commander.
Asst. Civil Engineer Clinton D. Thurber to be a civil engineer.
Asst. Civil Engineer Robert S. Furber, with the rank of
ensign, to be an assistant civil engineer with the rank of lieuten-
ant (junior grade).
Boatswain Thomas M. Cassidy to be a chief boatswain.
Passed Asst. Paymaster Howard D. Lamar to be a paymaster.
Passed Asst. Paymaster Eugene H. Tricou to be a paymaster.
Asst. Paymaster Eugene H. Douglass to be a passed assistant
paymaster.
Asst. Paymaster Robert K. van Mater to be a passed assistant
paymaster.
Asst. Paymaster William S. Zane to be a passed assistant
paymaster.
Pay Insp. Livingston Hunt to be a pay director.

Paymaster Barron P. du Bois to be a pay inspector.
Passed Asst. Paymaster David C. Crowell to be a paymaster.
Asst. Paymaster James C. Hilton to be a passed assistant pay-
master.
Pay Insp. John A. Mudd to be a pay director.
Paymaster Harry E. Biscoe to be a pay inspector.
Asst. Paymaster Ellsworth H. van Patten to be a passed as-
sistant paymaster.
Pay Insp. George W. Simpson to be a pay director.
Paymaster George G. Selbels to be a pay inspector.
Machinist Matthias A. Thormahlen to be a chief machinist.

APPOINTMENTS IN THE NAVY.

The following-named citizens to be assistant paymasters in
the Navy:

George S. Wood,
Ulrich R. Zivnaska,
Alonzo G. Hearne,
Hervey B. Ransdell,
Harold C. Shaw, and
Henry R. Snyder.

MARINE CORPS.

To correct date of rank as previously confirmed:

Capt. Earl H. Ellis to be a captain from the 13th day of
May, 1908.
First Lieut. Philip H. Torrey to be a first lieutenant from the
13th day of May, 1908.
Capt. Thomas C. Turner to be a captain from the 14th day
of May, 1908.
First Lieut. Robert Tittoni to be a first lieutenant from the
14th day of May, 1908.
First Lieut. Ross E. Rowell to be a first lieutenant from the
17th day of May, 1908.
Capt. Raymond B. Sullivan to be a captain from the 17th day
of June, 1908.
First Lieut. Harold H. Utley to be a first lieutenant from the
17th day of June, 1908.
Capt. Howard H. Kipp to be a captain from the 10th day of
July, 1908.
First Lieut. Howard C. Judson to be a first lieutenant from
the 10th day of July, 1908.
First Lieut. Paul A. Capron to be a first lieutenant from the
24th day of October, 1908.
First Lieut. Allen M. Sumner to be a first lieutenant from the
14th day of December, 1908.
First Lieut. William F. Bevan to be a first lieutenant from
the 29th day of December, 1908.
First Lieut. John Potts to be a first lieutenant from the 16th
day of January, 1909.
First Lieut. Edward A. Ostermann to be a first lieutenant
from the 31st day of January, 1909.
The following-named citizens to be second lieutenants in the
United States Marine Corps:
George K. Shuler,
David S. Barry, jr., and
David L. S. Brewster.

PROMOTIONS IN THE MARINE CORPS.

First Lieut. Ellis B. Miller to be a captain.
First Lieut. Charles F. Williams to be a captain.
Second Lieut. Reginald F. Ludlow to be a first lieutenant.
Second Lieut. Robert E. Adams to be a first lieutenant.
Second Lieut. Edwin N. McClellan to be a first lieutenant.
Lieut. Col. George Barnette to be a colonel.

The following-named boatswains to be chief boatswains in the
Navy:

William A. Macdonald,
Henry A. Stanley,
Joseph E. Cartwright,
James Glass,
John Law, and
Michael Higgins.

The following-named machinists to be chief machinists in the
Navy:

Gustav Auberlin,
John F. Green,
Arthur A. Smith,
Martin M. Schreiber,
Carl Johanson,
George S. Bingham,
William T. Robinson,
Fred T. Ingram,
Guss Williams, and
Thomas D. Healy.
Carpenter Elvie L. Kempton to be a chief carpenter.

POSTMASTERS.

ALABAMA.

R. B. Dugger, Tuscaloosa.
Joseph H. Montgomery, Birmingham.
Hattie N. Tabb, Thomasville.

ARKANSAS.

Samuel T. Benningfield, Walnut Ridge.
Martin S. Lefors, Gentry.

CALIFORNIA.

Byron D. Beckwith, Colusa.
Francis M. Bitts, Sherman.
Virgil Bunnell, Biggs.
Frank E. Ellis, Stockton.
Wilfred T. Gurney, Tuolumne.
William J. Hill, Salinas.
J. T. Leftwich, Inglewood.
Walter Mundell, Sawtelle.
George E. Seybolt, Taft.
W. S. Vawter, Santa Monica.

CONNECTICUT.

Elbert S. Adams, Norwalk.
Charles A. Curtiss, Thomaston.
William P. Everts, Salisbury.

DISTRICT OF COLUMBIA.

Norman A. Merritt, Washington.

IDAHO.

Lewis N. Balch, Potlatch.
Howard L. Hoppes, Rigby.
Burton W. Reeves, Richfield.
Sherman H. Smith, Post Falls.
Chancey Wallace, Nezperce.
John T. Welker, Cambridge.

ILLINOIS.

Charles F. Best, Nokomis.
Edward I. Boies, Sycamore.
James S. Courtright, Normal.
Adolph Fehrman, Pekin.
William H. Hainline, Macomb.
Henry B. Harvey, Cissna Park.
Luranah Haworth, Georgetown.
Elijah Needham, Virginia.
Milton M. Rodenberger, Windsor.
Milton H. Spence, Elmwood.
Frank Woolley, Saybrook.
Anton E. Yukel, Algonquin.

INDIANA.

Arthur A. Finney, Valparaiso.
Eva M. Kauffman, Topeka.
Gladys E. Lyons, Fairmount.
F. Richard Schaaf, Hammond.

IOWA.

Cecil Adams, Danbury.
Charles C. Bender, Spencer.
C. A. van Buskirk, Alta.
Walter S. Campbell, Batavia.
George Clark, jr., Newton.
James C. Dinwiddie, Marengo.
Charles L. Early, Sac City.
C. A. Easterly, Manning.
Frank E. Fritcher, Nashua.
R. M. Harrison, Fonda.
C. F. Hatch, Lake Park.
Alanson T. King, Gladbrook.
M. McDermott, Buffalo Center.
William H. Moore, Shelby.
Isaac Patterson, St. Ansgar.
James Payton, Cherokee.
James J. Pruitt, Larchwood.
William Springer, Manson.
Edwin C. Tompkins, Sioux City.
Gerardus L. Van de Steeg, Orange City.

KANSAS.

James A. Arment, Dodge City.
Herbert Cavaness, Chanute.
George W. Benedict, Plainville.
Birdsey Earhart, Oxford.
Edna M. Jeffers, Mineola.
George M. Hull, Salina.
W. H. Jordan, Seneca.

Emma W. McCune, Downs.
Evan P. McKain, Quinter.
L. D. McMurray, McPherson.
John C. Mack, Newton.
Jennie R. Reed, Almena.
A. J. Scranton, Delphos.
John A. Stark, Bonner Springs.
William H. True, St. Marys.

MAINE.

Edward Brown, Thomaston.
Samuel F. Davis, South Paris.
Frank H. Drinkwater, Yarmouth.
Lewis C. Flagg, Berwick.
Mary E. Frye, Fryeburg.
John C. Nichols, South Windham.
Abraham L. Wallace, Millbridge.

MASSACHUSETTS.

Althamer E. Chamberlain, Holliston.
Marcus M. Copeland, Onset.
Benjamin P. Edwards, Topsfield.
Nathaniel A. Eldridge, Chatham.
John W. Fairbanks, Westboro.
Julius Guild, Walpole.
Martin Hickey, Grafton.
Andrew N. Maxon, Blackstone.
Edward B. Sherman, Franklin.

MICHIGAN.

Arthur D. Bangham, Albion.
Charles R. Burleson, McBain.
John Farley, Stambaugh.
Oliver J. Gowans, Mackinaw.
Minnie L. Hall, Lawton.
James P. Hughes, Marshall.
Lynn T. Hulett, Augusta.
H. T. McGrath, Charlotte.
Horace G. Prettyman, Ann Arbor.

MINNESOTA.

Nicholas Ellertson, Mount Iron.
Joseph H. Feeter, Bird Island.
Thomas J. Godfrey, Hibbing.
James D. Griggs, Truman.
Fred Herring, Hawley.
Julia M. Holley, Madelia.
Dillwyn W. Jones, Mabel.
Frank H. Kratka, Thief River Falls.
A. E. Learned, Waverly.
Arthur McBride, Walker.
John B. Oadson, Madison.
William H. Revier, Northfield.

MISSISSIPPI.

John L. Carr, Tylertown.
Richard H. Coke, Mendenhall.
Edward Dezonis, West Point.
Asa A. Edwards, Laurel.
Martha H. McLaurin, Pelahatchee.
Frank L. Ratliff, Shaw.
James J. Scarborough, Poplarville.

MISSOURI.

Edwin T. Alexander, Slater.
Emory H. Brant, Maysville.
Amos H. Cole, Windsor.
Reuben W. Graves, Lancaster.
James A. Ham, Humansville.
Daniel J. Holman, Keytesville.
Melvin C. James, Higginsville.
William H. Luthy, Parkville.
George L. Miller, King City.
George W. Riddle, Kearney.
Mora L. Silger, Grandin.
J. J. Smith, Sweet Springs.
De Forest Spore, Odessa.

MONTANA.

Edward H. Cooney, Great Falls.
George Noffsinger, Somers.
Wallace N. Porter, Three Forks.

NEBRASKA.

F. M. Elliott, Mitchell.
Clarence J. McClelland, Fullerton.
Edward B. Richardson, Ulysses.

Charles Seeley, Trenton.
Romaine A. St. John, Gibbon.
J. H. Wilhermsdorfer, Harrison.

NEVADA.

Oran K. Adcock, Caliente.

NEW HAMPSHIRE.

Charles E. Poole, North Conway.
Mrs. H. P. Thompson, Troy.

NEW JERSEY.

Walter S. Browne, Vineland.

NEW YORK.

Pryce W. Bailey, Seneca Falls.
Harrison Beecher, Monticello.
Adelbert C. Brink, Wolcott.
Harman S. Clark, Mannsville.
Walter P. Crane, Kingston.
Lillian B. Davis, Mount Kisco.
Herman Dean, Fishkill.
Arthur Decker, Williamson.
J. Robert Douglas, Westfield.
George B. Helmle, Nyack.
George M. Horner, Belmont.
George D. Genung, Waverly.
Malcolm C. Judson, Norfolk.
William H. Marshall, Pleasantville Station.
Frank R. Pelsue, Faust.
James M. Pitkin, Newark.
John Raines, jr., Canandaigua.
William A. Reinhart, Inwood.
John W. Rose, Arlington.
George D. Sharpe, Richmond.
Charles E. Sheldon, Sherman.
Frederick R. Smith, Norwood.
William Smith, Livingston Manor.
Albert W. Southard, Valhalla.
Frank B. Spaulding, Witherbee.
Lucius E. Twinn, Akron.
Sarah H. Young, Cornwall Landing.
Eugene Vreeland, Dundee.
James H. Wilson, Little Valley.

NORTH CAROLINA.

Fannie M. Benbow, Franklin.
James A. Bristol, Andrews.
Charles E. Orr, Brevard.

PENNSYLVANIA.

William H. Baker, Ridgway.
Winfield S. Bonham, Simpson.
Peter V. Burke, Jessup.
John D. Burns, Paoli.
Robert Carns, Ridley Park.
Charles A. Dunlap, Manheim.
Charles E. Foringer, Kaylor.
Thomas R. Hirst, Christiana.
Earl W. S. McCartney, Conemaugh.
William McElhany, Pencoyd.
Joseph B. Means, Brookville.
George M. Palmer, Morrisville.
Josiah Phillips, Downingtown.
Nora L. Pickering, Peckville.
Joseph N. Ritchey, Falls Creek.
G. Gillette Saxton, Tioga.
Harry G. Teagarden, Punxsutawney.

RHODE ISLAND.

Jonathan Bateman, Manville.
Albert C. Landers, Newport.

SOUTH CAROLINA.

John R. Cochran, jr., Anderson.
Laurens G. Young, Union.

TENNESSEE.

S. D. Davis, Cookeville.
James A. Greer, Loudon.
A. V. McLane, Lewisburg.
Zeph Roby, Erin.
William Henry Shelley, Decherd.

UTAH.

Herbert Hopes, Eureka.
Luella E. Thorne, Pleasant Grove.
Edward J. Young, jr., Vernal.

VERMONT.

Perley S. Belknap, South Royalton.
George F. Pease, Rutland.

VIRGINIA.

William L. Mustard, Pocahontas.
W. B. Peters, Appalachia.

WASHINGTON.

Noah O. Baldwin, Pomeroy.
D. W. Hutchinson, Washougal.

WEST VIRGINIA.

Hugh I. Shott, Bluefield.

WYOMING.

William Gibson, Basin.
Daniel E. Goddard, Lusk.
Henry Harris, Superior.
Frank L. Palmer, Kemmerer.

HOUSE OF REPRESENTATIVES.

TUESDAY, December 13, 1910.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D., as follows:

Almighty God, we realize that Thou art the King of Kings, but we rejoice that Thou art a father king. We realize that Thou art the supreme judge of our acts; but we rejoice that Thou art a father judge, that Thou rulest Thy children in love and judgest them in mercy. Thou doest reign in righteousness, and Thy judgments are true and righteous altogether. Help us by the rectitude of our behavior and the willingness to do the work that Thou hast given us to do to show our appreciation of Thy goodness and of Thy wonderful works to the children of men. And Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

INHERITANCE TAX.

Mr. SMITH of Michigan. Mr. Speaker, I move that the vote by which the bill H. R. 22842, the inheritance tax bill, was passed on yesterday be reconsidered and that that motion do lie on the table.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that the report accompanying the bill H. R. 22842, the inheritance tax bill, which was passed on yesterday, be printed in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the report touching the bill referred to be printed in the RECORD. Is there objection?

There was no objection.

The report is as follows:

[House Report No. 1091, Sixty-first Congress, second session.]

The Committee on the District of Columbia, to whom was referred the bill (H. R. 22842) providing for taxation of and fixing the rate of taxation on inheritances, devises, bequests, legacies, and gifts in the District of Columbia, and providing for the manner of payment as well as the manner of enforcing payment thereof, report the same back to the House with the recommendation that it do pass.

The purpose of this proposed legislation is to institute in the District of Columbia a system of taxation that has been recognized as just and equitable in most of the States of the Union. The Commissioners of the District of Columbia, however, while expressing "the opinion that an equitable and graduated inheritance tax constitutionally applied is correct in principle," nevertheless doubt the necessity of imposing it at this time. They say:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, March 29, 1910.

HON. S. W. SMITH,
Chairman Committee on District of Columbia,
House of Representatives, Washington, D. C.

DEAR SIR: The board in passing upon the subject-matter of H. R. 22842, Sixty-first Congress, second session, referred to them for examination and report, begs leave to express its understanding, at this opportunity, that as Commissioners of the District of Columbia, they regard themselves as constituting an impartial executive board to carry into effect the will of the partners to the compact known as the Organic Act, and in the formation of the expression of the partners' will into law to perform such helpful work, in their exceptional status, as between said partners, as may be practicable toward attaining an effective harmony of action.

The Board of Commissioners, attaching hereto a table, marked "A," for comparison as to the rates and graduated scales in each of the 38 States and Territories having laws upon the subject, is of the opinion that an equitable and graduated inheritance tax constitutionally applied is correct in principle and that only the question of the necessity of imposing it at this or any other particular time need be here considered.

That it is but fair to consider that a tax should be levied upon a community only as necessity compels, never for the purpose of repelling growth at home in the interest of growth elsewhere, which, moreover, could not be thus attained, and never added so long as the community is readily able, by existing levies, to provide for current expenses and completion of needed or desirable improvements within an economical period while providing for extinguishment of its bonded and floating or other debt within a reasonable time.

The board finds that the District's half of the present bonded debt, plus a floating debt to its other partner, aggregated about \$9,000,000 on the 1st of last July.

By the approval of the bill, S. 3260, now before Congress, submitted by the Board of Commissioners, and acceptable, so far as the board is aware, to the committees of both Houses of Congress, it is clearly demonstrated that the government of the District of Columbia can be maintained, very large improvements carried to completion within 12 years, and this debt be totally extinguished in at least 25 years, and very probably in 20 years, and therefore it does not appear necessary to the board that the combined resources of the partnership should be increased by adding any tax to existing levies unless it is thought to be desirable to undertake improvements in addition to those comprehended in the above bill.

Hereto attached, marked "B," please find brief of views for such consideration as it may afford upon the question, among others, of fairness of the financial burden imposed upon the respective partners under the so-called organic act.

By order of the Board of Commissioners:

CUNO H. RUDOLPH,
President.

A.

ADMINISTRATION OF DECEASED PERSONS' ESTATES.

INHERITANCE TAX LAWS.

The following is a synopsis of several of the laws of the various States affecting the administration of the estate of a deceased person:

1. *Who to administer.*—(a) If the deceased leaves a will, the duty of administration falls upon the executor. If no executor is named, or in the event of the death or refusal of the executor to act, the court will grant administration under the will to some suitable person, generally selected from those most largely interested under the provisions of the will, such as the residuary legatees, if any. (b) If the deceased died intestate, letters of administration are granted to the following persons in practically all the States:

First. To the surviving husband or widow.

Second. To one or more of the next of kin entitled to share in the estate.

Third. If none of the above consent to act, to one of the creditors of the estate, except in localities where there is provided by law a public administrator who is preferred to creditors.

In practically all the States an administrator is required to give bond for the faithful performance of his duties in double the value of the estate to be administered.

In most of the States, if so provided by the will, no bond is required of an executor, except that in some States an executor is required to give a bond to cover the probable amount of the debts of the estate, and in practically all the States, in the discretion of the court, for cause shown, an executor may be required to give a bond.

2. *Claims of creditors.*—The procedure in the several States in presenting creditors' claims against the estate varies very considerably. In the majority of the States the executor or administrator is required promptly to give public notice to creditors to present their claims to him, and the creditors are required so to present their claims supported by an affidavit that the same are justly due and owing from the estate, above any offsets or counterclaims, within a period limited generally to six months or a year. The law of each State should be consulted for more specific details.

3. The following table contains an analysis of the laws of the several States, covering:

(1) The time provided for accounting to the court by executors and administrators on their administration.

(2) The inheritance or succession tax upon property received either by intestate laws, last will, or by gift or transfer, designed to take effect at death, excepting legacies for religious, charitable, or educational purposes, which are tax exempt in most of the States.

(3) The various classes of estate obligations given priority over other claims in case of the insolvency of the estate.

| State. | Accounting. | Inheritance tax. | Preferred obligations. |
|--------------|--|--|---|
| Alabama.... | Annual accounts. Final account in one year if condition of estate permits. | None..... | 1. Funeral expenses. 2. Administration expenses. 3. Expenses of last sickness. 4. Taxes. 5. Wages of servants or employees. |
| Arizona..... | As directed by the court. |do..... | No statutory provision. |
| Arkansas.... | Annual accounts. Final accounting in three years. | 5 per cent tax on property passing to collateral relatives (other than lineal descendants or ancestors). | 1. Funeral expenses. 2. Expenses of last sickness. 3. Wages of servants. 4. Judgments which are liens on land of deceased. |

| State. | Accounting. | Inheritance tax. | Preferred obligations. |
|-----------------------|--|---|---|
| California.... | Must file account in ten months. | On estate less than \$25,000 in value the tax rate varies from 1 to 5 per cent, governed by the relationship to deceased, the nearer the relationship the smaller the rate of tax. On larger estates the above rate is increased from one and one-half to three times. The tax-exempt inheritances vary from \$10,000 to a widow or minor child to \$500 passing to remote relatives or strangers. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts preferred by United States laws. 4. Wages due within 60 days. 5. Judgments, mortgages, and other liens. |
| Colorado.... | First account in six months. Further accounts every six months until estate is closed. | Property passing to parents, husband or wife, child, brother or sister, wife or widow of son, husband of daughter, lineal descendant, or adopted child, or child acknowledged as such for ten years, is taxable at 2 per cent, except estates less than \$10,000 are exempt to above persons. To uncle, aunt, nephew or niece or their descendants tax of 3 per cent, no exemption. To all others above \$500: On \$500 to \$10,000, tax is 3 per cent; \$10,000 to \$20,000, 4 per cent; \$20,000 to \$50,000, 5 per cent; above \$50,000 6 per cent. | 1. Moneys held by deceased as trustee or executor. 2. Expenses of funeral and last sickness. 3. All allowances to widow or orphans. |
| Connecticut. | Account in one year. | All estates exempt up to \$10,000. Tax on excess as follows: To parents, husband or wife, or lineal descendants, 1 per cent; to others, 3 per cent. | 1. Funeral and administration expenses. 2. Expenses of last sickness. 3. Taxes. 4. Other preferred claims by State laws. |
| Delaware.... | Account in one year. | Property passing to parents, wife, children, or descendants exempt. To others, tax of 5 per cent; estates exempt up to \$500. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Wages to servants and laborers. 4. Rent (not over one year). 5. Judgments. 6. Obligations of record. 7. Obligations under seal. 8. Contracts for payment of money or delivery of goods. |
| District of Columbia. | Account in 15 months. | None..... | 1. Judgments or decree of court. 2. Other debts. |
| Florida..... | Annual accounts. |do..... | 1. Administration expenses. 2. Funeral expenses. 3. Expenses of last sickness. 4. Judgments and debts due to State. |
| Georgia..... |do..... |do..... | 1. Year's support of family. 2. Expenses of funeral and last sickness. 3. Administration expenses. 4. Taxes. 5. Fiduciary obligations. 6. Judgments, mortgages, and other liens. 7. Rent. 8. Liquidated demands. |
| Idaho..... | First account in three months. Future accounts as directed by the court. | Tax on estates less than \$25,000 at following rates: (a) To husband or wife, lineal issue or ancestor, 1 per cent; exempt to widow or minor child, \$10,000; to others of Class A, exempt \$4,000. (b) To brother or sister, or their descendants, or wife or widow of son, or husband of daughter, 1 1/2 per cent; exempt \$2,000. (c) To uncles, aunts, or descendants, 3 per cent; exempt \$1,500. (d) To great-uncles, great-aunts, or descendants, 4 per cent; exempt \$1,000. (e) To more distant relatives or strangers in blood, 5 per cent; exempt, \$500. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts preferred by United States laws. 4. Judgments and mortgages. |

| State. | Accounting. | Inheritance tax. | Preferred obligations. | State. | Accounting. | Inheritance tax. | Preferred obligations. |
|---------------|---|---|--|----------------|---|--|---|
| Idaho—Con. | | On larger estates than \$35,000 the above rates are multiplied as follows: \$25,000 to \$50,000, one and one-half times above; \$50,000 to \$100,000, two times above; \$100,000 to \$500,000, two and one-half times above; \$500,000 and upward, three times above. | | Massachusetts. | Annual accounts. | (a) To husband or wife, lineal ancestor, lineal descendants, adopted child or descendants thereof, wife or widow of son, husband of daughter, taxable as follows: Under \$10,000, exempt; up to \$50,000, 1 per cent; \$50,000 to \$100,000, 1½ per cent; above \$100,000, 2 per cent. (b) To brother, sister, nephew, or niece: Up to \$25,000, 3 per cent; \$25,000 to \$100,000, 4 per cent; above \$100,000, 5 per cent. Exempt to \$1,000. To all other persons, 5 per cent. | 1. Debts preferred by United States laws. 2. Public rates and taxes. 3. Wages, not over \$100. |
| Illinois..... | Inventory in three months. Accounts as directed by the court. | On property passing to parents, husband or wife, brother or sister, wife or widow of son, husband of daughter, lineal descendants, or one to whom deceased stood in relation of parent, tax 1 per cent; exempt up to \$20,000. To uncle, aunt, niece or nephew, or descendants, 2 per cent; exempt, \$2,000. All other cases as follows: On less than \$10,000, 3 per cent; \$10,000 to \$20,000, 4 per cent; \$20,000 to \$50,000, 5 per cent; above \$50,000, 6 per cent. All estates less than \$500 exempt. | 1. Funeral and administration expenses. 2. Allowance to widow and children. 3. Expenses of last sickness, except doctor's bill and wages to servants. 4. Debts to common school or township funds. 5. Doctor's bill, last sickness. 6. Money owed in fiduciary capacity. | Michigan.... | 18 months allowed to close estate. More may be granted by court up to four years. | Tax of 1 per cent to parents, husband or wife, child, brother or sister, wife or widow of son, husband of daughter, lineal descendants, adopted child, or one to whom deceased stood in relation of parent, exempt to \$2,000. To others, 5 per cent over \$100. | 1. Administration expenses. 2. Funeral expenses. 3. Expenses of last sickness. 4. Debts preferred by United States laws. |
| Indiana..... | Accounts as directed by court. | None..... | 1. Administration expenses. 2. Funeral expenses. 3. Expenses of last sickness. 4. Taxes. 5. Debts secured by liens on real estate. 6. Wages, not over \$50. | Minnesota.... | 18 months to settle estate though further time may be allowed. | All inheritances above \$10,000 are taxable as follows: \$10,000 to \$50,000, 1½ per cent; \$50,000 to \$100,000, 3 per cent; above \$100,000, 5 per cent. Estates below \$10,000 exempt. | 1. Administration expenses. 2. Funeral expenses. 3. Expenses of last sickness. 4. Debts preferred by United States laws. 5. Taxes. |
| Iowa..... | First account in six months. Annually thereafter. Final account in three years. | Property passing to parents, husband, or wife, lineal descendants, adopted child or issue thereof is exempt. To others, 5 per cent tax above \$1,000. To alien nonresidents of the State, tax is 20 per cent, unless alien is brother or sister, when tax is 10 per cent. | 1. Debts preferred by United States laws. 2. Public rates and taxes. 3. Claims filed within six months after notice. | Mississippi .. | Annual accounts | None..... | No statutory preference. |
| Kansas..... | Annual accounts. | None..... | 1. Funeral expenses. 2. Expenses of last sickness. Administration expenses. Wages of servants. 3. Debts due to State. 4. Judgments. 5. All demands presented within one year after letters of administration. 6. Demands presented after one year and before two years. 7. Demands presented after two years and before three years. | Missouri..... | Annual accounts. Final settlement after two years. | All inheritances taxable at 5 per cent except to parents, husband or wife, or lineal descendants, which are exempt. | 1. Funeral expenses. 2. Expenses of last sickness; wages of servants. 3. Taxes and public debts. 4. Judgments. 5. All demands presented within one year after letters. 6. All demands exhibited after one and before two years. |
| Kentucky... | As directed by court. | Tax of 5 per cent on all estates over \$500 except to parents, husband, or wife, lawful issue, husband of daughter, wife, or widow of son, lineal descendants or adopted child, which are exempt. | 1. Funeral expenses. 2. Administration expenses. 3. Monies due in fiduciary capacity. | Montana | 1 year allowed for settlement of estate. | Tax of 1 per cent to parents, husband or wife, lawful issue, brother or sister, or adopted child, exempt to \$7,500. To all others, 5 per cent. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts preferred under United States laws. 4. Judgments and mortgages. |
| Louisiana... | Annual accounts. | Exempt to \$10,000 to parents or lineal ancestors, children or descendants; excess taxable at 2 per cent; to others, 5 per cent. | 1. Funeral expenses. 2. Legal expenses. 3. Expenses of last sickness. 4. Servants' wages within one year. 5. Debts for food and supplies within six months. 6. Salaries, clerks. | Nebraska.... | Final account in three years. | Taxable at 1 per cent to parents, husband or wife, child, brother or sister, wife or widow of son, husband of daughter, adopted child, or where deceased stood in relation of parent, and lineal descendants in lawful wedlock, exempt to \$10,000. To uncle, aunt, nephew, or niece, or descendants, 2 per cent; exempt to \$2,000. To others, above \$500 as follows: \$500 to \$5,000, 2 per cent; \$5,000 to \$10,000, 3 per cent; \$10,000 to \$20,000, 4 per cent; \$20,000 to \$50,000, 5 per cent; above \$50,000, 6 per cent. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts preferred by United States laws. 4. Judgments and mortgages. |
| Maine..... | As directed by the court. | Exempt to parents, husband or wife, lineal descendants, adopted child, or descendants, wife or widow of son, husband of daughter; to others, 4 per cent above \$500. | 1. Funeral and administration expenses. 2. Allowance to husband, widow, or children. 3. Expenses of last sickness. 4. Debts preferred under United States laws. 5. Taxes. | Nevada..... | First account after three months. Thereafter as directed by court. | None..... | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts preferred by United States laws. 4. Judgments and mortgages. |
| Maryland... | Account in one year. Thereafter every six months till closed. | Exempt to parents, husband or wife, children, or lineal descendants; to others, 5 per cent above \$500. | 1. Taxes. 2. Arrears of rent. 3. Judgments or decrees of court. | New Hampshire. | Account in one year, subject to further direction by the court. | Exempt to parents, husband or wife, lineal descendants, brother, sister, adopted child, wife or widow of son, husband of daughter. To all others, 5 per cent. | 1. Administration expenses. 2. Funeral expenses. 3. Allowance to widow. 4. Taxes and expenses of last sickness. |
| | | | | New Jersey.. | Account in one year. | Exempt to parents, husband or wife, children, lineal descendants, brother or sister, husband of daughter, wife or widow of son. To all others, 5 per cent. | 1. Expenses of last sickness. 2. Funeral expenses. 3. Judgments and decrees. |

| State. | Accounting. | Inheritance tax. | Preferred obligations. | State. | Accounting. | Inheritance tax. | Preferred obligations. |
|-----------------|--|--|--|-----------------|--|---|--|
| New Mexico. | First account in one year. Yearly thereafter. | None | 1. Administration expenses. 2. Funeral and last sickness expenses. 3. Allowance for widow and minor children. 4. Debts preferred by United States or Territory laws. 5. Taxes. | Oregon—Con. | ..... | In all other cases above \$500; \$500 to \$10,000, 3 per cent; \$10,000 to \$20,000, 4 per cent; \$20,000 to \$50,000, 5 per cent; above \$50,000, 6 per cent. | |
| New York... | Account in one year. | (a) Taxable at 1 per cent to parents, husband or wife, child, stepchild, brother, sister, wife or widow of son, husband of daughter, lawful issue and descendants, or one to whom deceased stood in relation of parents; exempt to \$10,000. (b) To others, 5 per cent above \$500. | 1. Funeral and administration expenses. 2. Debts preferred under United States laws. 3. Taxes. 4. Judgments and decrees. | Pennsylvania. | Account in one year. | Estates less than \$250 exempt. Exempt to parents, husband or wife, children or lineal descendants, stepchildren, wife or widow of son. To all others, 5 per cent. | 1. Funeral and last sickness expenses. Wages due household servants within one year. 2. Rent within one year. |
| North Carolina. | Annual accounts. Final account in two years. | Exempt to husband or wife. (1) To lineal ancestors, or descendants, brothers or sisters, or where mutual relation of parents and child existed, 4 per cent; exempt to \$2,000. (2) Descendants of brother or sister, 1½ per cent. (3) Uncles or aunts, or descendants, 3 per cent. (4) Great-uncles, great-aunts, or descendants, 4 per cent. (5) To all others: \$2,000 to \$5,000, 5 per cent; \$5,000 to \$10,000, 7½ per cent; \$10,000 to \$25,000, 10 per cent; \$25,000 to \$50,000, 12½ per cent; above \$50,000, 15 per cent. | 1. Debts secured by liens on property of deceased. 2. Funeral expenses. 3. Taxes. 4. Debts due United States or State. 5. Judgments. 6. Wages within one year. Medical attendance within one year. | Rhode Island. | Estate to be settled in two years. | None | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts due to United States. 4. Debts due to State, and State and town taxes. 5. Wages within six months, not exceeding \$100 to one person. 6. Other claims presented within six months. |
| North Dakota. | As directed by court. | Exempt to parents, husband or wife, lineal descendants, adopted child, or descendants thereof. To others, 2 per cent above \$25,000. | 1. Administration expenses. 2. Funeral and last sickness expenses. 3. Allowance to family. 4. Debts preferred by United States laws. 5. Debts secured by liens on property of deceased. | South Carolina. | Annual accounts. |do | 1. Funeral, last sickness, probate and administration expenses. 2. Debts due to public. 3. Judgments, mortgages, and executions. 4. Rent. 5. Bonds, contract debts. |
| Ohio..... | First account in 18 months. Annually thereafter. | Exempt to parents, husband or wife, brother, sister, nephew, niece, lineal descendant, adopted child, person legally designated as heir, and descendants thereof, wife or widow of son, husband of daughter. To others, 5 per cent above \$200. | 1. Administration, funeral and last sickness expenses. 2. Allowance to widow and children for 12 months. 3. Debts preferred by United States laws. 4. Public rates and taxes. 5. Wages within a year. Not over \$150 to one person. | South Dakota. | Account in one year. | A tax is imposed, graduated by varying relationships to deceased and amounts of property passing to each person. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Administration expenses. 4. Wages for 60 days. 5. Debts preferred by United States laws. 6. Debts secured by liens on property of deceased. |
| Oklahoma... | Accounts as required by the court. | A graduated tax is imposed, determined by varying relationship to deceased and the amount of property passing to each person. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Support of family for 90 days. 4. Taxes to United States or State. 5. Debts preferred by United States or State laws. 6. Judgments or mortgages. 7. Other claims presented to administrator within six months. | Tennessee... | Estate to be settled in two years. | Exempt to parents, husband or wife, children and lineal descendants. To others, 5 per cent over \$250. | No priority. |
| Oregon..... | Semiannual accounts. | Estates less than \$10,000 are exempt. (a) Tax of 1 per cent to parents, husband or wife, child, brother or sister, wife or widow of son, husband of daughter, adopted child, one to whom deceased bore relation of parent, or lineal descendant in lawful wedlock upon the amount received by each person above \$5,000. (b) Tax of 2 per cent to uncle, aunt, niece, nephew, or descendants on amount received by each above \$2,000. | 1. Funeral expenses. 2. Taxes due United States. 3. Expenses of last sickness. 4. Public rates and taxes. 5. Debts preferred by United States laws. 6. Debts secured by liens on property of deceased. 7. Wages within 90 days. | Texas..... | Annual accounts. | ..... | 1. Expenses of funeral and last sickness if presented within 60 days. 2. Administration expenses, including allowance for support of widow and children for one year. 3. Debts secured by mortgage or other lien. 4. Other debts presented within 12 months. |
| | | | | Utah..... | First account in six months. | Tax of 5 per cent on all estates over \$10,000. | 1. Funeral expenses. 2. Expenses of last sickness and administration. 3. Wages, within 60 days, not over \$100 to one person. 4. Debts preferred by United States or State laws. 5. Debts secured by liens. |
| | | | | Vermont.... | Account in one year. | Exempt to parents, husband, or wife, lineal descendants, adopted child, or lineal descendant thereof, wife or widow of son, husband of daughter. To all others, 5 per cent above \$2,000. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Taxes. 4. Debts due to State. 5. Debts due to United States. |
| | | | | Virginia..... | Account in 18 months. Annually thereafter. | Exempt to lineal ancestors or lineal descendants, husband or wife, brother or sister. To all others, 5 per cent. | 1. Funeral and administration expenses. 2. Expenses of last sickness, not exceeding \$50, doctor or druggist. 3. Taxes. 4. Money owing as trustee or in fiduciary capacity. |

| State. | Accounting. | Inheritance tax. | Preferred obligations. |
|----------------|--|--|---|
| Washington. | Account in one year. | (a) Tax of 1 per cent above \$10,000 to parents, husband or wife, lineal descendants, adopted child, or lineal descendant thereof. (b) To collaterals, including the third degree of relationship, 3 per cent up to \$50,000, 4 per cent from \$50,000 to \$100,000, and 6 per cent from \$100,000 upward. (c) To those further removed, 6 per cent up to \$50,000, 9 per cent up to \$100,000, 12 per cent above \$100,000. (d) On all sums to collaterals who are aliens not residing in United States, tax of 25 per cent. | 1. Funeral expenses. 2. Expenses of last sickness. 3. Debts preferred by United States laws. 4. Wages within 90 days. 5. Taxes. 6. Judgments and mortgages which are liens on land. |
| West Virginia. | Account in 18 months. Annually thereafter. | Tax of 1 per cent to parents, husband or wife, children or lineal descendants, above \$20,000. To brother or sister, 3 per cent. To grandfather or grandmother, 5 per cent. To all others, 7½ per cent. (1) Tax of 1 per cent to husband, wife, lineal descendants, lineal ancestors, adopted child, one to whom deceased bore relationship of parent, and lineal issue thereof. (2) To brothers, sisters, and descendants, wife or widow of son, or husband of daughter, 1½ per cent. (3) To uncles, aunts, or descendants, 3 per cent. (4) To great uncles, great aunts, and descendants, 4 per cent. (5) To all others, 5 per cent. When the estate is above \$25,000 the above rates are multiplied as follows: \$25,000 to \$50,000, 1½ times on excess; \$50,000 to \$100,000, 2 times on excess; \$100,000 to \$500,000, 2½ times on excess; above \$500,000, 3 times on excess. | 1. Debts due to United States. 2. Taxes. 3. Moneys due as fiduciary. 4. Other claims not voluntary obligations. |
| Wisconsin... | Accounts as required by court. | (1) Tax of 1 per cent to husband, wife, lineal descendants, lineal ancestors, adopted child, one to whom deceased bore relationship of parent, and lineal issue thereof. (2) To brothers, sisters, and descendants, wife or widow of son, or husband of daughter, 1½ per cent. (3) To uncles, aunts, or descendants, 3 per cent. (4) To great uncles, great aunts, and descendants, 4 per cent. (5) To all others, 5 per cent. When the estate is above \$25,000 the above rates are multiplied as follows: \$25,000 to \$50,000, 1½ times on excess; \$50,000 to \$100,000, 2 times on excess; \$100,000 to \$500,000, 2½ times on excess; above \$500,000, 3 times on excess. | 1. Last sickness and funeral expenses. 2. Debts preferred by United States laws. |
| Wyoming... | Accounts every six months. | Tax of 2 per cent on amount above \$10,000 to parents, husband or wife, child, brother, sister, lineal descendants, wife or widow of son, husband of daughter, adopted or acknowledged child for ten years. Except that to husband, wife, or child resident of the State, \$25,000 to each is exempt. To others than above, tax of 5 per cent. | 1. Funeral and administration expenses. 2. Expenses of last sickness and 60 days' wages. 3. Medicine and medical attendance of last sickness. 4. Judgments and mortgages. 5. All claims presented within six months. 6. All claims presented within one year. |

EXHIBIT A.

(See second paragraph of letter.)

[United States internal-revenue act of June 13, 1898—war-revenue tax.]

LEGACY TAXES.

Where the whole amount of personal property is made up of legacies or distributive shares, any one of which exceeds \$10,000 in actual value, passing to any legatee from any person on or after June 13, 1898, taxes accrue and must be paid in one year after the death of the testator if testator dies subsequent to July 1, 1901, but if he deceased prior to July 1, 1901, and after June 12, 1898, then within 12 months ending June 30, 1902, and before distribution to the legatees, as follows: Personal property valued over \$10,000 and not over \$25,000, the tax shall be:

1. Legatees of lineal issue or lineal ancestor, brother or sister to the person who died, for each and every \$100 clear value, \$0.75.

2. Legatee, the descendant of a brother or sister of the person who died, for each and every \$100 clear value, \$1.50.

3. Where legatee is the brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother of the person who died, for each and every \$100 clear value, \$3.

4. Where legatee is the brother or sister of the grandfather or grandmother, or a descendant of the brother or sister of the said grandparents of the person who died, for each and every \$100 clear value, \$4.

5. Where legatee shall be in any other degree of collateral consanguinity than is hereinbefore stated, or a stranger in blood to the person who died, or shall be a body politic or corporate, for each and every \$100 clear value, \$5.

Provided, that all legacies, etc., passing to husband or wife of the person who died shall be exempt from tax or duty.

Legacies not exceeding \$10,000 exempt. (T. D. No. 129.)

Requests for uses of a religious, literary, charitable, or educational character, or for the encouragement of art, or to a society for the prevention of cruelty to children are exempt.

Where values of legacy or property exceed \$25,000, the rate hereinbefore given should be multiplied as follows:

- Over \$25,000 and not over \$100,000, by 1½.
- Over \$100,000 and not over \$500,000, by 2.
- Over \$500,000 and not over \$1,000,000, by 2½.
- Over \$1,000,000, by 3.

Ineffective as to contingent remainders and life tenants.

Upon the possible question of the fairness of charging the District with one-half the cost of maintaining and developing in this otherwise industrially and commercially disadvantageous locality the broadly beautiful national city originally designed by the Government itself, the board is of the opinion that fairness requires consideration of the Government's original proposal to which it induced the 19 original proprietors of the land to assent by convincing them of its intention to ultimately erect here not only its public buildings, but to here establish and promote the development of a national capital according to plans, open to their inspection, such as opportunity for the accomplishment of which had not theretofore been presented in all history.

This first compact required these proprietors to donate in perpetuity to the Government the land between building lines for the streets of this great plan and one-half the number of lots which this plan disclosed, from the proceeds of the sale of which its public buildings were to be erected; reserving to the owners the remaining lots, or something less than one-half of the area of the whole plan. Then and there began an enhancement of land and improvement values incident to the exceptional conditions inaugurated by the Government itself, which continued until, comfortably housed, the dominant contracting party lost sight of the spirit, if not the letter, of its compact with these proprietors and their successors, and left the struggling, straggling city that had grown up around its public buildings to carry alone the burden of that development, the half of which it would seem they had fair reason to believe the Government intended to assume by its ordering, adopting, and exhibiting L'Enfant's plans to induce them to relinquish more than half their land, in a mutual speculation, in which the Government was the leading factor; and to consider also, as intended to cure the resulting deplorable spectacle, the later compact, known as the organic act, entered into under sanction of law, by the United States on the one hand and the people of the District of Columbia on the other, as partners, agreeing, after long debate in both Houses of Congress, that exhausted the subject, that, considering the unhappy result of years of experience and upon the question of recognizing and further developing the patriotic national pride and affection of the people in and for their capital—a military asset of priceless value second to no other—making it the Mecca it is to-day for every son and daughter of its soil, it was but just and fair that the parties to this compact should now and for the future equally share the burden of this development along the lines of the original plan prescribed by the Government itself.

The Board of Commissioners, viewing the fact that the above-mentioned compact, comprehending the spirit of the original undertaking, still exists, and that from a consideration of all the circumstances of its evolution, the grandeur of the Government's conception and the comprehensiveness of development designed to be accomplished thereby, believes this compact still exists fairly and for the future as between the original parties thereto, and that therefore the District of Columbia should not be charged with more than one-half the expense of maintenance and development of such a national capital.

Upon the question of the comparatively large amount of tax collected in the District as shown in Table C, hereto attached, and how this is made possible, the board, seeking a fair taxable comparative, is of the opinion that had the Government not selected the present area for the seat of government with the hope and intention of creating thereat a national capital city, along national lines of beauty and development set forth in the Government's plan as devised by L'Enfant, that Alexandria, formerly in the District, as it might have developed, with the better physical advantage its locality affords, would, as to taxable land and improvement values, be a fair comparative for the same as we find them to-day in this city and suburbs.

C.

Bonded debts and assessed valuations of States.

| States and Territories. | Valuation realty property. | Valuation personal property. | Total assessed valuation. | Per cent actual value. | Tax rate per \$1,000. | Bonded debt. |
|----------------------------------|----------------------------|------------------------------|---------------------------|------------------------|-----------------------|--------------|
| Alabama..... | \$281,686,070 | \$202,664,120 | \$484,350,190 | 60 | \$6.50 | \$9,057,000 |
| Arizona..... | | | 83,746,403 | 25 | 8.00 | 3,098,275 |
| Arkansas ¹ | 218,424,886 | 108,598,666 | 327,023,552 | 40 | 6.75 | 1,250,509 |
| California..... | 1,983,001,221 | 354,278,499 | 2,337,279,720 | 60 | 3.64 | 4,631,500 |
| Colorado ² | | | \$922,071,592 | 100 | | 1,874,000 |
| Connecticut..... | | | | | | 806,785 |
| Delaware..... | | | | | | |
| District of Columbia..... | 276,590,774 | 35,882,940 | 312,473,714 | 67 | 15.00 | 10,114,150 |
| Florida ⁴ | 99,372,097 | 31,299,129 | \$130,671,226 | 50 | 7.50 | 601,567 |
| Georgia..... | 348,065,988 | 357,316,437 | 705,382,425 | 66 | | 6,937,000 |
| Idaho..... | | | 120,815,384 | 15 | | 1,754,250 |
| Illinois..... | 894,231,942 | 369,268,545 | 1,263,500,487 | 20 | 5.00 | None. |
| Indiana..... | 1,110,391,659 | 665,740,487 | 1,776,132,096 | 60 | 3.33 | 1,510,163 |
| Iowa ¹ | 487,221,300 | 125,904,108 | 613,125,408 | 25 | 3.90 | None. |
| Kansas..... | 1,587,751,012 | 505,065,221 | \$2,092,816,233 | 100 | 12.50 | 520,000 |
| Kentucky..... | 569,758,120 | 183,706,785 | 753,464,905 | | 5.00 | (e) |
| Louisiana ² | | | 523,800,478 | 60 | 5.00 | 11,108,300 |
| Maine..... | 285,889,492 | 79,009,222 | 364,898,714 | | 3.00 | 713,000 |
| Maryland ² | | | 765,109,228 | | 1.60 | 5,978,926 |
| Massachusetts ² | 2,799,062,707 | 1,775,073,438 | 4,574,136,145 | | | 78,097,595 |
| Michigan..... | 1,283,137,283 | 365,584,128 | 1,648,721,411 | 80 | 3.42 | None. |

¹ For year 1908.

² No recent report obtainable.

³ Exclusive of railroad, telephone, and telegraph property.

⁴ Fiscal year 1907.

⁵ Public-service corporations included.

⁶ No bonded debt, except perpetual irredeemable bonds.

⁷ Net debt, \$562,901.

⁸ Net debt.

Bonded debts and assessed valuations of States—Continued.

| States and Territories. | Valuation realty property. | Valuation personal property. | Total assessed valuation. | Per cent actual value. | Tax rate per \$1,000. | Bonded debt. |
|---------------------------------|----------------------------|------------------------------|---------------------------|------------------------|-----------------------|--------------|
| Minnesota..... | \$897,641,617 | \$193,043,319 | \$1,090,684,936 | 33 | \$2.70 | \$2,441,000 |
| Mississippi..... | 231,889,588 | 1109,928,544 | 393,297,173 | 50-75 | 6.00 | 3,589,226 |
| Missouri..... | 1,059,345,946 | 487,780,800 | 1,547,126,736 | 50 | 1.70 | 4,398,839 |
| Montana..... | 136,618,246 | 48,495,289 | 280,401,064 | 50 | 2.50 | 384,000 |
| Nebraska..... | 255,484,621 | 136,250,843 | 391,735,464 | 20 | 6.25 | None. |
| Nevada ¹ | 50,482,256 | 23,373,885 | 73,856,142 | ..... | (*) | 550,000 |
| New Hampshire..... | ..... | ..... | 249,219,335 | ..... | 21.38 | 831,700 |
| New Jersey ²..... | ..... | ..... | 63,724,838 | 20 | 14.45 | 1,001,650 |
| New Mexico..... | ..... | ..... | 9,606,118,681 | 864 | ..... | 41,230,669 |
| New York..... | 9,117,352,888 | 550,081,115 | 9,666,005,223 | 60 | 2.50 | 7,200,500 |
| North Carolina..... | 287,245,762 | 277,769,461 | 565,005,223 | 60 | 2.50 | 694,000 |
| North Dakota..... | 182,124,702 | 298,000,000 | 280,000,000 | 25 | 5.20 | 1,655,000 |
| Ohio..... | 1,590,299,746 | 762,381,078 | 2,352,680,824 | 60 | 1.35 | 1,460,000 |
| Oklahoma..... | ..... | ..... | 860,000,000 | 100 | 2.50 | None. |
| Oregon..... | ..... | ..... | 598,133,963 | ..... | ..... | 772,331 |
| Pennsylvania ³ | 4,665,263,899 | 1,104,513,428 | 5,769,777,397 | 75 | 1.80 | 3,341,639 |
| Rhode Island ⁴ | 382,598,201 | 114,439,359 | 497,547,560 | 40 | 5.50 | 6,685,774 |
| South Carolina..... | 134,536,251 | 136,831,705 | 271,367,956 | 40 | 4.00 | None. |
| South Dakota..... | 235,006,539 | 86,064,126 | 321,070,665 | 20 | 3.50 | 11,808,400 |
| Tennessee ⁵ | 375,461,628 | 68,722,101 | 444,186,729 | 20 | 2.28 | 3,989,400 |
| Texas ⁶ | 1,503,082,341 | 671,040,139 | 2,174,122,480 | 60 | 5.00 | 299,000 |
| Utah ⁷..... | ..... | ..... | 146,204,050 | ..... | ..... | 24,986,939 |
| Vermont..... | 141,929,051 | 43,897,747 | 185,826,798 | ..... | ..... | 1,406,024 |
| Virginia..... | 412,451,116 | 167,114,423 | 579,565,539 | 44 | ..... | None. |
| Washington..... | 577,396,241 | 108,077,825 | 730,419,826 | 75 | 5.00 | 2,251,000 |
| West Virginia..... | 580,000,000 | 488,000,000 | 1,068,000,000 | 100 | 11.43 | 160,000 |
| Wisconsin..... | 1,901,290,225 | 577,271,561 | 2,478,561,786 | 75 | 2.47 | ..... |
| Wyoming..... | ..... | ..... | 186,157,274 | ..... | ..... | ..... |

¹ Exclusive of railroad, telephone, and telegraph property.² Including railroads.³ For year 1908.⁴ Tax rate varies in each county, running from 1.20 to 3.10.⁵ Tax rate is for all purposes—State, county, town, and school.⁶ No recent report obtainable.⁷ Net debt.⁸ Fiscal year 1907.⁹ Public-service corporations included.

The returns are for the fiscal year 1909, except when otherwise indicated.

From the day of the approval of the so-called organic act until the present hour, and because of what this compact meant to the people of the country, there has been a steady flow, amounting to about 2 per cent of the District's population annually, into the District of Columbia, a goodly number of whom are of large and still more of small means, sufficient to establish homes at the permanent seat of government; resulting in the passing years in a hundredfold stimulation of its land and improvement values above what might fairly be considered such values would be were this locality not the seat of government and dependent merely upon its rather poor physical advantages for growth, or as the city of Alexandria, with better advantages, might have developed in the intervening years had the permanent seat of government not been established at this point.

These supernatural land and improvement values for so small an area, upon which taxes sufficient for one-half the cost of maintaining and developing the National Capital are now assessed, incident to location at the seat of government in the District of Columbia, as compared, say, with those obtaining in Alexandria and vicinity, were brought about largely by the owners themselves, because they must have believed, as the debates in Congress show was the intention, that under the L'Enfant plan and the foregoing compacts the city of Washington and the District of Columbia would now surely be developed along the lines of a great National Capital, previous experience having shown that without such favoring arrangement there was little or no development whatever; and such people as are still seeking homes in the District of Columbia, it is fair to presume, are of a similar mind, and have equal confidence in the perpetuation of this later compact.

Such a state of stimulated land and improvement values as actually and practically exists in the District of Columbia, is, therefore, that to which communities—New York City, for instance, under its present administration—desire to attain with a view to the ultimate abolition of personal taxes other than tangible, as a means of stimulating its land and improvements at such valuation as that the tax upon land and improvements—from which the owner can not hope to escape—shall be sufficient for most municipal purposes.

The board finds that inheritance tax, as applied in this country, is one levied by the State or Territory, and therefore presumably because necessary as a help toward payment of the cost of State or Territorial government as separate and distinct from that of its counties, municipalities, etc.

That the District of Columbia, while it approximates in area to a county of a State, is nevertheless actually and practically governed throughout this area, though in some instances by instrumentalities kindred to those of county and State, yet all at the administrative cost of a municipal organization only, and therefore without the need of any tax designed in other jurisdictions to support administrative organizations or to cover the leaks in other communities that do not here exist; in which connection the District of Columbia occupies a separate, distinct, and creditable statistical status for which the Census Bureau has not yet evolved a fair comparative.

When the President in his inaugural address recommended a "graduated inheritance tax as correct in principle," he probably comprehended the levy of an inheritance tax that might be imposed throughout the country for the benefit of the Federal Government, and therefore at that time applicable to the District of Columbia in common with its application elsewhere, and for this reason also the board is of the opinion that this tax should not, therefore, be imposed upon the District of Columbia until the necessities of the Federal Government require that such a tax should be imposed throughout the country or at least the Territories.

The board has not found opportunity to pass upon the question of graduation of rates and scales in this bill as compared with those in the

foregoing State Table A and United States table of graduated rates and scales enforced during the Spanish-American War, and therefore request opportunity to be heard upon the same and the form of the measure at such later period as may suit your committee.

This bill provides a graduated inheritance tax for the District of Columbia. There is a general exemption of \$3,000 to all classes of persons. Where immediate members of a family are involved the exemption is \$10,000. It is proposed that estates valued between \$3,000 and \$50,000 shall pay a tax of 2½ per cent, those valued more than \$50,000 shall pay 5 per cent. Furthermore, property granted or devised purely for charitable, religious, educational, scientific, hospital, missionary, literary, patriotic, historical, or cemetery purposes is entirely exempt.

It is believed that an inheritance-tax law should be enacted for the District of Columbia at this time. This form of taxation has been adopted in recent years by the leading countries of the world and by nearly all the States of the Union. This system of taxation has become fixed in the United States, and doubtless will soon obtain in every State. At present all save the following States have such a tax: Rhode Island, Indiana, Kansas, Nevada, Mississippi, Florida, Alabama, Georgia, and South Carolina.

The principal features of this bill are: (1) The exemptions; (2) graduation of the tax; (3) different rate as between near and remote kindred.

In England estates valued less than \$500 are exempt; in France no exemptions save alms; in Germany estates of no greater value than \$125 are exempt. The laws of the States of the Union vary greatly as to exemptions. A distinction is usually made between direct and collateral heirs. Many States have no exemptions as to collateral heirs, but most of them exempt a small amount. The following States have a general exemption of \$500: California, Colorado, Delaware, Idaho, Illinois, Kentucky, Maine, Maryland, Montana, New Jersey, New York, and Wyoming.

In nearly all States there is a greater exemption in property going to direct heirs or immediate members of the family than to collateral heirs or strangers. These exemptions usually run from \$2,000 to \$10,000.

The proposed bill is very liberal in the exemptions in respect to property devised for religious, educational, scientific, and like purposes, for the reason that the District is naturally situated and destined to become a great center for institutions carrying on this work. It is believed that such institutions should be fostered.

In England, France, Germany, and many of the States of the Union the tax varies according to the size of the estate. The graduation of the tax is generally recommended where there are no constitutional obstacles in the way. To graduate the tax enables a relatively small rate to be applied to small estates. The 2½ per cent on estates between \$3,000 and \$50,000 in the proposed bill is a very moderate tax compared with the rates in the various States, and the 5 per cent on all estates over \$50,000 is about the average rate applied.

Congress has ample power to enact such a law. Congress shall have power "to exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States." (Constitution, Art. I, sec. 8.)

In view of the fact that practically all the States have inheritance-tax laws, such a law is needed in the District. Otherwise the National Capital will constitute an asylum for men of wealth to establish a residence in for testamentary purposes. This is very unfair to the States.

This tax is needed, also, to equalize the burden of taxation in the District. At present intangible personal property is not taxed. The man of small means, with household furniture and a cow or a horse, is taxed on all he has, but the man who owns stocks, bonds, mortgages, royalties, and the like, pays no tax thereon. An inheritance tax is the only tax such property will ever pay. So, if this tax is not needed to provide more revenue, it is needed properly to distribute the burden of taxation.

The report of the Commissioners of the District, hereinafter contained, states that such a tax is correct in principle, but should not be applied save when there is necessity to impose it, and that such necessity does not now exist. We believe the necessity is found in the need of eliminating the District as a tax-dodger's asylum and in the need of better distributing the burden of taxation.

Furthermore, the report shows that the bonded indebtedness of the District is \$10,114,150, an amount exceeded by only four States of the Union.

It would seem not undesirable, to secure greater revenue, that this indebtedness might be paid.

In considering Table C in the report, one should bear in mind that the District tax is compared with State taxes, and while a resident of the District pays only this District tax, in the several States a citizen must pay not only the State tax, but also a county, city, and school tax, and of the total amount the State tax is but a fraction.

PENSION APPROPRIATION BILL.

Mr. KEIFER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for consideration of the bill (H. R. 29157) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1912, and for other purposes, and pending that I desire to arrange, if I can, for the time for general debate. As I understand, on both sides of the House, time for general debate is requested. I suggest to the gentleman from Massachusetts [Mr. KELHER], on the Appropriations Committee, that there be six hours of general debate, three hours of which shall be controlled by the gentleman from Massachusetts on the minority side and three hours by myself, the time to be equally divided, and I make that request, Mr. Speaker.

The SPEAKER. The gentleman from Ohio asks unanimous consent that general debate close on this bill in six hours, one half to be controlled by the gentleman from Massachusetts [Mr. KELHER] and one half by the gentleman from Ohio [Mr. KEIFER]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The question now is on the motion of the gentleman from Ohio that the House resolve itself into the Committee of the

Whole House on the state of the Union for the consideration of the pension appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the pension appropriation bill, with Mr. STERLING in the chair.

Mr. KEIFER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. MANN. How long is the bill?

Mr. KEIFER. It is not very long. It will be read by paragraphs later on.

Mr. MANN. We may not hear it at that time. It is only a short bill, and we ought to know what the pensions amount to.

Mr. KEIFER. Very well, let it be read.

The CHAIRMAN. Objection is heard and the Clerk will read.

The Clerk read the bill, as follows:

A bill (H. R. 29157) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1912, and for other purposes.

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1912, and for other purposes, namely:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, \$153,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1912, \$200,000.

For salaries of 18 agents for the payment of pensions, at \$4,000 each, \$72,000, or so much thereof as may be necessary.

For clerk hire, and other services, pension agencies, \$385,000, or so much thereof as may be necessary: *Provided*, That the amount of clerk hire, and other services, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

For rent, New York agency, \$4,500.

For examination and inspection of pension agencies, \$1,500.

For stationery and other necessary expenses, \$25,000.

Mr. KEIFER. Mr. Chairman, it is not my purpose to occupy much time on the bill, and at present I desire to reserve the part of the time that I control, and I will ask the gentleman from Massachusetts to proceed with the general debate on the other side.

Mr. KELIHER. Mr. Chairman, I yield two hours to the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, the Republican Party met in national convention in June, 1908, and, in obedience to an almost universal demand of the American people, declared "for a revision of the tariff by a special session of Congress immediately following the inauguration" of the President then to be elected. During the campaign which ensued the Republican leaders, including their nominee for the Presidency, asserted over and over again that the revision which their platform declared for meant a revision downward, and that if the Republican Party was again intrusted with power such revision would be made.

Relying upon these promises the people again placed the Republican Party in power, giving it the Presidency and both Houses of Congress by unusually large majorities.

Immediately after the new President was inaugurated he called the Congress together in special session. But this was as far as the party went in carrying out its promises to the people. Congress revised the tariff, but not in accordance with Republican promises. The revision was so slight that experts differ as to whether it was an upward or a downward revision. But whether upward or downward, it was not substantial. All agree it did not fulfill the promises of the party or meet the demands or expectations of the people.

It completely fulfilled the prophecy of the Democratic Party, announced in its platform, that the people could not safely trust so important a work as a revision of the tariff "to a party which is so deeply obligated to the highly protected interests as is the Republican Party."

And in consequence, at the election recently held, the people gave expression to their disappointment and displeasure by administering to the Republican Party such an overwhelming defeat as it has not had for many years.

The revision of the tariff now having been intrusted to a Democratic House of Representatives, it is not out of place to begin the discussion of some of the more important questions which are sure to arise when that work is taken up in detail. A tariff only for revenue is the time-honored Democratic position,

and I have the right to assume that when the country commissions a Democratic House of Representatives to revise the tariff we are expected to reduce it to a revenue basis.

But whether we should make such reduction at once or only gradually, or whether it shall be done by a general revision or by the revision of one schedule at a time it is not my purpose to discuss on this occasion. My remarks now shall be directed especially to the question as to how the duties must be laid under a revenue tariff system, so as not to handicap or injure any of the industries of the country.

I shall undertake to show that this can be done only by placing the raw materials of manufacture on the free list. I shall undertake to show that without the importation of such raw material free of duty a tariff only for revenue as contrasted from a tariff for protection is impossible without disaster to many of our industries, from which it will follow that the free raw material doctrine is the true Democratic doctrine.

I shall also undertake to show that the Democratic Party has never taken a position against this doctrine either before or since the Cleveland era, as has been charged in some quarters, but, on the contrary, that party and its leaders have on many occasions emphatically declared for that doctrine.

WHAT IS RAW MATERIAL?

First, let us see what is meant by raw material as it is used in the discussion of tariff legislation. David B. Hill defined it to be "a production which is in its lowest and crudest form when it enters into commerce." And as examples he mentions coal, iron ore, and lead ore. Of course we all know that raw material is largely a relative term, for often one man's raw material is another's finished product. But in tariff discussion raw material is understood to be those great crude materials, such as coal, iron ore, lumber, and so forth, which enter into and are the very bases of manufacture generally.

WHY RAW MATERIAL SHOULD NOT BE TAXED.

Mr. Chairman, there is an imperative reason why raw material should be admitted into the country free of duty if only a revenue duty is to be levied upon manufactured products, and that is because practically all other manufacturing countries admit raw material duty free.

If we levy a tariff upon raw material, we would, to the extent of the tariff, increase the cost of the manufacturers' products into which such raw material is made, and we would thereby handicap the home manufacturer in his contest with the foreign manufacturer in foreign markets. Indeed, the tendency and effect of a tax upon raw material would be to greatly impair and in a great measure destroy the export trade of our home manufacturers.

Moreover, it would give the foreign manufacturer an advantage over the home manufacturer in our own home markets unless a compensatory duty should be levied in favor of the home manufacturer, and if such compensatory duty were levied the cost to the consumer would be increased to that extent.

Other very disastrous consequences would follow the curtailment of our export trade. The demand for our raw material would thereby be correspondingly curtailed and the demand for labor greatly diminished. Every duty levied upon the raw material of manufacture operates as so much protection in favor of foreign manufacturers against our manufacturers both at home and abroad.

On the other hand, the advantages to be derived from free raw material are many. If our manufacturers were not burdened by a tax upon their raw material they would need no protection, and the duty upon their products could be reduced to a revenue basis. They could go into foreign markets and meet the competition of the world. They could expand their export trade and thereby enlarge the demand for raw material at home, thus giving the producer of raw material a steady market for his product.

They would be enabled to sell to the consumers of this country more cheaply, and under the reduced tariff would be compelled to do so.

Some of the advantages of free raw material were well expressed by Senator Richard Coke in a speech in the Senate of the United States on April 12, 1888, when he said:

Give us free, untaxed machinery and free raw material, such as coal, ore, wool, jute, and other textile products, these being the bases of all manufacture, a tariff devoted solely to raising revenue for the support of the Government will doubly protect the American workingman's wages and send our cheapened goods without handicap into foreign markets to meet and defy the competition of the world. All the reasons for placing raw materials on the free list apply with twenty-fold power to the machinery which manufactures it.

Not one pound of machinery engaged in the manufacture of any article on the dutiable list, nor of raw material entering into any such article, should pay a single penny of tariff tax. All incumbrances, every hindrance, every ounce of weight that can be removed from our products,

should be taken away and American energy, resources, invention, skill, and genius given a fair opportunity of winning primacy in the commerce of the world. When this grand consummation shall occur, as it must sooner or later, and the sooner the better, the products of the workingman's labor, no longer confined to the home market as now, with its fitful seasons of high demand and glut, nor to the manipulations of "combines" and trusts, will find steady sale in all the markets of the world and thus will be insured steady employment to the labor which it creates.

But, Mr. Chairman, notwithstanding the evil consequences which, as I have pointed out, would result from a tax upon raw material under a tariff levied solely for revenue, and notwithstanding the great advantages to be derived from placing raw material on the free list, there are to be found a few Democrats, some of them prominent, who insist this raw material shall be taxed so long as a duty is levied upon the manufactured article into which it is made.

This tariff dogma is evidently of very recent origin, for we do not find it laid down in any of the tariff literature of the country. And it seems also to be purely arbitrary as no one has ever been able to give a satisfactory reason for it.

Why should we arbitrarily say we will never agree to take the duty off raw material as long as a duty remains upon the finished product? Take coal, for instance, which is used in almost every manufacture. Could anything be more absurd than to say that as long as any duty remains upon any manufactured article that coal is used in making we will insist on maintaining a duty on coal? The same may be said of iron ore, lumber, and other raw materials, which are used generally in manufactures.

The advocates of this new doctrine might as well tell us they are not in favor of putting these raw materials on the free list under any circumstances whatever, as a repeal of the duty on all the manufactured articles into which they enter would be a repeal of practically our entire system of tariff laws, which is impossible as long as we must raise a large part of our revenues by tariff taxation.

FREE RAW MATERIAL NOT PROTECTION.

They tell us that putting raw materials on the free list is only one of the methods of affording protection to the manufacturers, and is therefore a Republican doctrine. They utterly fail to draw the distinction between an affirmative act on the part of Congress to protect a manufacturer from foreign competition and a refusal by Congress to handicap a manufacturer in his efforts to meet foreign competition, which is wholly a different thing. One is to give the home manufacturer an advantage by putting a handicap on the foreign manufacturer, while the other is to handicap neither, but to give them an equal chance. When two men enter a race it is no protection to one of them to refuse to put a burden upon him. It is only a simple act of fairness and justice.

It is true Alexander Hamilton, in his report on manufactures, recommended the exemption of the materials for manufacturers from duty as one of the means of encouraging and building up manufactures in this country, but in doing this he only pointed out the obvious fact that our manufacturers would stand a better show of success against foreign competition if no handicap were placed upon them by legislation which would add to the cost of their raw material and thereby increase the cost of their manufactures. He was not recommending any advantage over the foreign manufacturer in favor of the home manufacturer. His idea was only to secure equal opportunity for the home manufacturer. However, if free raw material could be properly called protection to American manufacturers, such protection would be infinitely better than protection in favor of foreign manufacturers against our own manufacturers as a tariff upon raw material would be.

DOES NOT GIVE MANUFACTURERS FREE TRADE IN WHAT THEY BUY AND PROTECTION ON WHAT THEY SELL.

Another reason they say they are opposed to free raw material is because it gives manufacturers free trade in what they buy while leaving them protection on what they sell.

Certainly they ought not to complain if our manufacturers should have the good fortune to have free trade in what they buy. Their complaint, then, is necessarily against the policy of leaving manufacturers protection on what they sell. If that is what is proposed, their objection would meet my hearty approval. But such is not the case. The Democratic proposal is to put raw material on the free list, and at the same time reduce all protective duties to a revenue basis, which means a competitive basis. Then, under such a system, the manufacturer would not only be able to buy in a competitive market, but he would be required to sell in a competitive market. Those who oppose free raw material seem to overlook the great difference between a competitive market and a protected market, and this seems to result in a great deal of confusion in their own minds.

I am not discussing the Republican protective tariff system. The main purpose of that system is to shield the industries of this country from competition from abroad. This is effected by imposing duties so high upon imports that the foreigner can not pay the duty and compete with our industries. This enables those engaged in home industries to advance prices on their products against our own people and thus make their own business more profitable. It is a taxation of the many for the benefit of the few. It is an exercise of the taxing power of the Government for the benefit of private enterprise.

Such a system of taxation is called protection, and the Democratic Party rightly denounces it as robbery. [Applause on the Democratic side.]

Viewing protection from a Republican standpoint, of course every fair-minded man, it seems to me, would insist that if its benefits are to be extended to any of the industries of the country, they ought to be extended to all. Any discrimination would be unjust. To put raw material on the free list under a protective system would only benefit the manufacturer. It would not reduce prices to the consumer. The tax remitted on the raw material would not only be lost to the Government revenues, but it would be transferred to the pockets of the manufacturers. And in that case complaint could well be made that the system is unjust, because it discriminates against the producer of raw material. And complaint could well be made also because the manufacturers are given free trade in what they buy while leaving them protected on what they sell.

And while Democrats might denounce protection as robbery, yet if the system is forced upon them they can consistently denounce any discriminations or inequalities it may contain. Whether or not they can afford to oppose discriminations under a protective policy to the extent of asking protection for the industries in which they happen to be interested is a question of policy I shall not now discuss.

But we are not discussing what ought to be done under a protective system. The question is, What ought to be done under a Democratic tariff system, which would protect neither raw material nor the manufacturer's product? [Applause on the Democratic side.]

Can it be, then, that when they argue that free raw material would give manufacturers free trade in what they buy and leave them protection on what they sell they refer to the "incidental protection" that a revenue rate would give the manufacturers? Necessarily this must be true, for "incidental protection" is the only kind of protection that can exist under a Democratic tariff.

A Democratic tariff is a tariff levied only for revenue. It is always fixed at or below a point which will produce the maximum amount of revenue. This means it must be at a point which will allow free competition from goods imported from abroad. While there is theoretically some protection in such a tariff, practically there is very little—so little that it would be the height of folly to contend that the advantages to be derived from extending it to raw material would justify an injury to our manufacturing industries or the additional burdens which it would place upon the people.

President Polk discussed this very question in his second annual message to Congress. After denouncing the protective act of 1842 on account of its inequalities and discriminations in favor of manufacturers, just as Secretary of the Treasury Walker had denounced it and as it ought to have been denounced, he discussed the act of 1846, which had superseded the act of 1842. He said:

The favored classes, who, under the unequal and unjust system which has been repealed, have heretofore realized large profits, and many of them amassed large fortunes at the expense of the many who have been made tributary to them, will have no reason to complain if they shall be required to bear their just proportion of the taxes necessary for the support of the Government. So far from it, it will be perceived by an examination of existing law that discriminations in the rates of duty imposed within the revenue principle have been retained in their favor. The incidental aid against foreign competition which they still enjoy gives them an advantage which no other pursuits possess, but of this none others will complain, because the duties levied are necessary for revenue. * * * The country will be satisfied with these rates, because the advantages which the manufacturers still enjoy result necessarily from the collection of revenue for the support of the Government.

Mr. Polk drew the proper distinction. Protection which required the people to pay tribute to private manufacturers was intolerable. But the "incidental protection" in favor of manufacturers necessarily resulting from merely revenue rates, which are levied solely for the needs of the Government, ought not to be complained of by anyone and ought to be satisfactory to the country.

ANY ATTEMPT TO EQUALIZE BENEFITS LEADS TO PROTECTION.

Mr. Chairman, those who insist upon an equitable distribution and equalization of the benefits of this so-called "incidental protection" ought to be able to show some substantial ad-

vantage to be secured thereby, but they are not. On the contrary, it may be easily shown that any effort in this direction would result in piling up a heavy and burdensome system of taxation upon the consumers of this country unnecessarily.

Let me prove this by an illustration. Suppose a duty of 20 per cent is levied upon a manufacturer's raw material, and then you undertake to give the manufacturer the same amount of incidental protection that you have given the producer of raw material. Can you do so by levying in the manufacturer's favor exactly the same amount of tariff you have levied in favor of the raw material? Not by any means. By levying the 20 per cent duty on the raw material you have placed a burden to that extent upon the manufacturer, and when you levy an equal amount of duty in favor of the manufacturer you have only removed his burden and placed him in the same position relatively as he was before any duty was levied upon the raw material. You have not yet given him a particle of "incidental protection." So, in order to give the manufacturer "incidental protection" equal in amount to that given to the producer of raw material, you will still have to go further and levy an additional duty in favor of the manufacturer, equal in per cent, but, on account of increase of cost of production, greater in amount than the duty levied upon the raw material.

The result of this equalization of duties would be, these taxes would all be carried over in a lump into the finished product, and that much would be added to the cost to the consumer. Manufacturers would be greatly hampered in their export trade, producers of raw materials and labor would be correspondingly injured, and competition from abroad curtailed, and all the evil consequences which usually grow out of a protective system would ensue. And all for what? Merely that the very small benefits to be derived from the "incidental protection" afforded by a revenue duty may be equalized. Such stupendous folly, I dare say, has not a parallel in the legislative history of this country. If this sort of thing is to be continued, let some one explain how and when the people are to be relieved from the exactions and burdens of Republican protection and from the trusts and monopolies that grow out of that abominable system.

But if an equitable distribution of the incidental benefits of a revenue tariff is to be made, let me call attention to another fact which ought to be taken into consideration, but which these equitable distributors seem to ignore, and that is, the producers of raw material already enjoy an advantage that the manufacturers do not have. As I have already said, every manufacturing country on the globe admits raw materials free; therefore the American producer of raw material has a worldwide open and free market for his product, whereas the manufacturers of this country are handicapped by foreign tariff laws, some of them highly protective, whenever they export their products for sale. So, in view of this great disadvantage to our manufacturers in the foreign markets, it would seem to me that no one ought to begrudge them the small benefits that may accidentally result to them from a tariff laid with the view solely to raising revenue, and which still leaves them to compete, even in our home market, with the manufacturers of foreign countries.

Mr. Chairman, nothing can be more un-Democratic than this scramble for the benefits of a tariff. Democrats have always regarded the tariff as a tax, and they have always treated it as such. They have looked to its burdens instead of to its benefits and have endeavored to adjust and distribute its burdens justly and equitably. Those who regard the tariff as a benefit and enter into a despicable scramble for a share in its benefits and who regard the parceling out of its benefits of more importance than a just distribution of its burdens are properly regarded by Democrats as nothing more or less than protectionists. [Applause on the Democratic side.]

TARIFF ALWAYS PAID BY CONSUMERS.

Another objection that is made to free raw material is that it relieves the manufacturers of taxation and that it transfers to other classes the taxes from which it has relieved the manufacturers. This objection shows an utter misconception of the nature and effect of tariff laws. It would indicate that those who make this argument look upon an import duty as a direct tax which can be levied upon particular industries or occupations. Nothing can be further from the fact. It is a tax which is levied for the privilege of importing into this country goods from abroad, and it is always paid by the consumer. If a manufacturer should import raw material for his own use or if he purchases raw material imported by some one else upon which a duty is paid, he adds such duty into the cost of his finished product, and it is paid by the consumer. This the manufacturer is entitled to do, in fact, must do, or else his business must fail, for no manufacturer can do business unless he can include in his selling price the entire cost of his production. It is an

utter impossibility to levy a tariff tax against any occupation or industry. When men insist that both raw material and the finished product shall be subject to duty, they are necessarily advocating double taxation upon the consumer. They must know that when they insist that if a duty is levied upon what the manufacturer sells to the people, that the manufacturer should be required to pay a tax on what he buys from the people is only a flippant, meaningless statement which is fit only to arouse the prejudices of and to mislead the unthinking. [Applause on the Democratic side.] They further object to free raw material by saying that when we take the tariff from raw materials we must increase the tariff on other articles; that it simply amounts to a transfer and not a reduction of taxes, and that it usually relieves one class of taxpayers by increasing the burdens of others. Not so. If no duty be imposed upon raw material, the duty on all manufactures can be reduced to a revenue basis from which we would derive a greater amount of revenue than from the high-tariff system which necessarily results from the taxed raw material policy.

Under the free raw material system we could relieve the people of all burdens of protection and of compensatory duties, and at the same time greatly increase our revenues. However, if after such a system should be inaugurated there should be any deficiency in the revenues, I would not make up such deficiency by increasing duties. I would make it up by levying an income tax, and by so doing require the wealth of this country, which has been largely acquired under the protective system, to contribute its just share to the support of the Government. [Applause on the Democratic side.]

MY POSITION ON THE TARIFF IN ACCORDANCE WITH DEMOCRATIC RULES.

Mr. Chairman, it is easy to show that the position I take upon this tariff question is strictly in accord with the rules which have always guided Democrats in the preparation of tariff laws. Those rules, as laid down by Secretary of the Treasury Walker in his report of 1846, are:

1. That no more revenue should be collected than is necessary for the wants of the Government economically expended.
2. That no duty be imposed upon any article above the lowest rate which will yield the largest revenue.
3. That below such rate discrimination may be made, descending in the scale of duties; or, for imperative reasons, the article may be placed in the list of those free from all duty.
4. That the maximum revenue duty should be imposed upon luxuries.
5. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

My contention is that there are imperative reasons why raw materials should be placed upon the free list, and those imperative reasons I have already pointed out. Some Democrats make the mistake of placing the incidental protection the producers of raw material get out of a revenue tariff above all other considerations. My contention further is, that when Secretary Walker said that the duty should be so imposed as to operate as equally as possible throughout the Union, neither discriminating for or against any class or section, he had primarily in mind the burdens and not the benefits of the duty, and that his position was that a proper and just distribution of the burdens should be made, discriminating for nor against any class or section. He did not mean that the benefits should be equitably distributed to the neglect of an equalization of the burdens.

FREE RAW MATERIAL DEMOCRATIC DOCTRINE.

It has been contended that the doctrine of free raw material is un-Democratic, and I have heard some very ingenious arguments made to sustain this view. Of course, the evidence is so conclusive that the party held to the doctrine of free raw material during what is called the Cleveland era (which, by the way, embraces the only period of Democratic ascendancy since the war) that no one can dispute the fact. But once in a while a meager supply of historical data and a few expressions of public men are brought forward, and a labored argument is made to show that such position of the Democratic party during the Cleveland era was exceptional; to show that before that time the party was against the free raw material doctrine, and that since the close of the last Cleveland administration it has again rejected that doctrine.

Mr. Chairman, I deny these contentions. I deny that in any single instance where the question of free raw material has been fairly raised, either before or since Cleveland's time, the Democratic Party has taken a position against it. Go back and read over tariff history since the beginning of the Government up to the Civil War. You will find but little that will throw light upon the question we are now discussing. Up to 1816 the country was so sparsely settled, the needs of revenue so small, and industries were so unimportant, the tariff was never made a political or partisan question. From 1816 to 1846 we had what is regarded as a protection period, during which time the old Republican, now the Democratic Party, and the opposition parties were alternately in control of the Government.

From 1846 up to the Civil War we had what is known as a free-trade era. But during all this time both parties were more or less vacillating with reference to the tariff question. Neither had assumed a position with reference thereto so definite and positive as they have since the war, when the tariff has become relatively of so much more importance. For instance, the highly protective act of 1828, carrying an average of duties amounting to nearly 49 per cent, and which was called the "tariff of abominations," was prepared and passed by Jackson Democrats, and Jackson himself was elected President the second time on a protective platform, while the act of 1857, a very moderate revenue measure without protective features, was supported in Congress by the Republicans as well as the Democrats. I cite these historical facts merely to show that prior to the Civil War the position of the parties with reference to the tariff was not fixed. The fact that Democrats supported the protective tariff of 1828, that the Democratic Party declared for "adequate protection to American industry" in 1832, and that the slogan of the Polk campaign in some parts of the country was "Polk and the tariff of 1842," which was "protection run mad," does not prove that prior to the war the Democratic Party was a protection party. Neither does the fact that the Republican Party supported the free-trade act of 1857 prove that party to have been an antiprotection party.

Just so the fact that the Democrats in the Senate voted down a motion to recommit the tariff bill of 1846 with instructions for free raw materials does not prove that the Democratic Party is an antifree raw material party, because the very next tariff bill prepared and passed by the Democrats, which was the bill of 1857, provided for free raw material. As the incident of 1846, to which I have just alluded, is the only instance which has ever been cited to show that prior to the Civil War the Democratic Party was against free raw material, I have the right to assume that the question was not raised on any other occasion and decided favorably to the contention of the opponents of free raw material.

This being true, let us examine more particularly this single instance and find out just what the facts were in regard to it, and how far it goes toward proving their contention. An examination will show that a great deal more evidential effect has been given to it than the real facts justify. In leading up to the act of 1846 certain utterances of Calhoun, Sevier, Walker, and Polk on the act of 1842 are frequently quoted. These utterances denounced the features of that act which discriminated against the producers of raw material, but the act of 1842 was a protection measure, and the utterances of these men can have no application to a measure framed only for raising revenue and not for protection.

Now, as to the motion to recommit the bill of 1846. The question of free raw material does not seem to have been raised until the bill had passed both House and the Senate. An examination of the RECORD will show that an opponent of the bill made the motion to recommit, and in doing so openly avowed on the floor of the Senate his purpose to be to defeat the bill entirely. Only eight days of the session remained, and all knew, as the RECORD expressly shows, that any effort on the part of the committee to revise the bill in accordance with the instructions given them would necessarily extend beyond the end of the session and kill the bill. So all the friends of the measure voted against the motion to recommit.

McDuffie, one of the leading Democratic Senators, in discussing the motion to recommit, said that only 5 per cent had been levied on those raw materials which came in free under the act of 1842, and that it was a very small matter, and he said he would have been almost as willing to have it out of the bill as to put it in. But, of course, we all know that at that stage of the bill no Democratic Senator was willing to jeopardize its success and assume the risk of continuing in operation the protection act of 1842.

Secretary Walker, who may be properly designated as the father of the act of 1846, himself said afterwards that that act was susceptible of great improvement in that it should have put the raw material of manufactures on the free list, as was the practice of all enlightened nations. Every student of tariff history knows that while the Walker tariff of 1846 marked the abandonment of the protective policy which had obtained for many years prior thereto, it was not entirely free itself from protection. Mr. Calhoun, who was in that day and time more or less tainted with protectionism, just as are some Democratic Senators in our day and time, was able to put more or less protection in the bill, to put a tax upon many raw materials, and thus prevent the measure from being a strictly revenue measure, as it became 11 years later when modified by the act of 1857 in accordance with the recommendation of a Democratic Secretary of the Treasury.

Mr. Chairman, so unimportant as a party issue was the tariff prior to the Civil War the subject was referred to in only three platforms of the Democratic Party, in 1832, 1840, and 1848, and then only briefly, and no mention was made of the raw-material question. What the policy of other manufacturing nations may have been during that period of our history, I am not informed. It may be they had not then adopted the settled policy of free raw materials as they have now come to do, and for that reason, while our people may have recognized the advantages of free raw material, they may not have been convinced of the absolute necessity of adopting the free raw material doctrine during our earlier history. We may pass over the war period, including the years following the surrender, when the Republican Party controlled the Government practically without Democratic opposition, during which time the war duties remained on every import capable of producing revenue. This condition existed practically until 1884, and during this time whatever effort was made to modify our revenue system was directed to questions other than the lowering of protective-tariff duties. Practically nothing was accomplished toward a reform of the tariff, which, most of the time, was kept in the background.

But I assert without the least fear of successful contradiction that on every occasion since the war, when opportunity offered, the Democratic Party has invariably stood for free raw materials as a necessary feature of its plan to reduce the tariff to a revenue basis. After obtaining control of the House of Representatives in 1884, the Democrats, through their chairman of the Ways and Means Committee, Mr. Morrison, presented a bill which, though unscientific in character, because it provided for a horizontal reduction of duties, nevertheless provided for free iron ore, lumber, coal, and other raw materials. This bill was supported by an overwhelming majority of the Democrats in the House, but was defeated by Republicans. The Democratic Party, through Mr. Morrison, presented another tariff bill in 1886, which provided for free lumber, salt, wool, hemp, flax, and other raw material. In reporting the bill to the House the unanimous report of the Democratic members of the committee said:

The duties intended to be removed by the bill are chiefly those which tax articles used by our own manufacturers, which subject them to a hopeless competition at home and abroad with the manufacturing nations, none of which taxes such materials, that our own manufacturers may successfully compete, both at home and abroad, with manufacturing nations which do not tax such materials, thus securing markets for the products of hands now idle for want of work to do.

This bill also had the support of the Democrats of the House and the opposition of the Republicans. But as every student of tariff history knows, the first great battle for tariff reform came in this country in 1888, when the Democratic members of the Ways and Means Committee, through the Hon. Roger Q. Mills, presented to the House of Representatives a tariff bill placing hemp, flax, lumber, and other raw materials of manufactures on the free list and reducing manufactured products to a revenue basis. In reporting this bill to the House of Representatives on April 2, 1888, Mr. Mills, speaking for the Democrats of the committee upon the subject of free raw materials, said:

With the markets of the world open to us, our manufacturers may run their mills on full time, give constant employment to their laborers, with a steadily increasing rate of wages. With the markets of the world open to the sale of their products they will create an active and constant demand for all the raw materials required in manufactures, which will stimulate, promote, and reward the wool growers and the producer of cotton, hemp, flax, hides, ores, and other materials of manufacture. We are the largest producers of cotton in the world, we are second in the production of wool, we put on the markets annually quantities of hemp and flax, and our country is full of ores and coal. What we need is manufactures enough to consume all the annual product of these materials and create an active demand for them, so that all our workmen may be constantly employed and receive high prices for their labor.

To accomplish this our manufacturers must have markets for the sale of their wares, and these markets are to be found in foreign countries as well as at home. To take the foreign market from the foreign manufacturer we must produce our goods at a lower cost than he can. The principal elements of cost are labor and material. In many of our manufactures the labor cost is lower than in any country in the world, and if the cost of materials were as low here as in foreign countries we could produce our goods more cheaply than they and largely increase our exports to foreign markets.

The annual product of our manufactures is now estimated at \$7,000,000,000, of which amount we export only about \$136,000,000, or less than 2 per cent. If we could obtain free of duty such raw materials as we do not produce and can only be procured in foreign countries, and mix with our home product in the various branches of manufacture, we could soon increase our exports several hundred millions. With untaxed raw materials we could keep our mills running on full time, our operatives in constant employment, and have an active demand for our raw materials in our own factories. If there should be no duty on any materials entering into manufactures many articles now made abroad would be made at home, which, while it would give more employment to our own labor, would give a better market to many articles which we produce and which enter into manufactures, such as cotton, wool, hemp, flax, and others.

With this end in view we have gone as far as we could and done what we could in the present condition of things to place our manufactures upon a firm and unshaken foundation, where they would have advantages over all the manufacturers of the world. Our manufacturers having the advantage of all others in the intelligence, skill, and productive capacity of their labor, need only to be placed on the same footing with their rivals in having their materials at the same cost in the open markets of the world.

A minority report was made against the Mills bill, signed by such Republicans as Kelley, Browne, Reed, McKinley, and Burrows, attacking mainly the free raw material features of the bill, and upon this issue the two parties aligned themselves in the great battle for tariff reform upon the floor of the House. When the vote was taken every Democrat in the House except four voted for the bill and all the Republicans against it.

The Senate at the time was Republican, and when the bill reached that body the parties aligned themselves upon it just as they did in the House. The Senate committee substituted a protection bill, and in reporting it Senator ALDRICH severely criticized the Mills bill for putting raw materials for manufactures on the free list. The Democratic members of the committee, composed of such distinguished Democrats as Isham G. Harris, Z. B. Vance, D. W. Voorhees, J. R. McPherson, and James B. Beck, stood by the House bill and especially its free list. On June 7 following the Democratic Party met in national convention at St. Louis and indorsed the position which the Democrats in Congress had taken in regard to the tariff, and more specifically declared its indorsement of the "views of President Cleveland in his (then) last annual message to Congress as the correct interpretation of that platform upon the question of tariff reduction." Now, let us look to the message of Mr. Cleveland, referred to, and see what he had to say in regard to free raw material. Here is what he said, leaving no doubt as to his position upon the question and making it clear that the national convention meant to give emphatic indorsement of the doctrine of free raw material. The message read:

The radical reduction of the duties imposed upon raw material used in manufactures or its free importation is, of course, an important factor in any effort to reduce the price of these necessities. It would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened that part of the tariff now laid upon such product, as a compensation to our manufacturers for the present price of raw material, could be accordingly modified. Such reduction or free importation would serve besides to largely reduce the revenue. It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption, saving them from the depression, interruption in business, and loss caused by a glutted domestic market, and affording their employees more certain and steady labor, with its resulting quiet and contentment.

The next great fight upon the tariff was in 1890, after the Republican Party regained control of Congress and the Presidency. Mr. McKinley, who was then the chairman of the Ways and Means Committee, reported a bill from that committee to the House which completely reversed the policy of the Mills bill and provided a very high degree of protection to both raw materials and manufactures. Against this bill the Democratic members of the committee, who were John G. Carlisle, Roger Q. Mills, Benton McMillin, C. R. Breckinridge, and Roswell P. Flower, made a minority report. They took what they regarded the true Democratic position, which was that import duties should be reduced to a revenue basis, and they pointed out that the only way this could be done without injury to any industry was to place the raw materials of manufactures upon the free list. In arguing this question these eminent Democrats said in their report:

If it were not for the excessive cost of production in this country, caused by the unnecessary taxation of crude and partially manufactured materials which are essential in the processes of our industries, we could export and sell every year large quantities of the products of our shops and factories after fully supplying the home demand at reasonable prices.

We believe, therefore, that the only manner in which our industries can be helped by legislation at the present time is to exempt from taxation the materials they are compelled to use and to reduce proportionately the taxes on finished products, so that all our farmers, mechanics, and manufacturers may be able to compete on equal terms with those of other countries. This is the policy we advocate and which we desire to see inaugurated and completed just as early and as rapidly as circumstances will permit. The capitalist who has invested his money in these industries, the laborers he employs, and the domestic consumer to whom he sells would all be benefited and nobody will be injured. With untaxed materials it is evident that they could afford to pay their laborers better wages than now and still sell their products to consumers at lower prices than are now charged.

Besides this, under such a policy our manufactured products would not be confined, as they are now, almost exclusively to the domestic market, but would enter all the markets of the world and compete successfully with similar products from other manufacturing countries. The opening of these great markets for the sale of our goods would, in our opinion, give constant employment not only to the thousands of laborers now engaged in our manufacturing industries, but would create

a demand for many thousands in addition, and unless we are greatly deceived the time would soon come when there would be no importations of finished articles into this country, except such as our own people for climatic reasons could not produce or do not desire to produce. The only certain and proper way to stop importations of such products is to make them ourselves so cheaply that no foreign competitor can afford to meet us in our own markets, and this we could undoubtedly do with free materials.

When the McKinley bill was passed in the House, after a fight in which the Democrats had aligned themselves for and the Republicans against free raw materials, it was sent to the Senate, and that body divided upon it along partisan lines, exactly as had been done in the House. So determined were the Democrats in the position they had taken that when the next national convention met two years later they denounced the McKinley tariff in their platform "as the culminating atrocity of class legislation," and expressly indorsed the "efforts of the Democrats in Congress to modify its most oppressive features in the direction of free raw materials and cheaper manufactured goods." Upon this platform the Democratic Party went before the country and achieved the most overwhelming victory within its history. At the convening of the first Congress thereafter the Democrats in Congress again took up the great fight for tariff reform through the doctrine of free raw material for manufactures. William L. Wilson, the Democratic chairman of the Ways and Means Committee of the House, presented a bill, and in his report on behalf of the Democratic members of the committee said:

We have believed that the first step toward a reform of the tariff should be a release of taxes on the materials of industry. There can be no substantial and beneficial reduction upon the necessary clothing and other comforts of the American people, nor any substantial and beneficial enlargement of the field of American labor as long as we tax the materials and processes of production. Every tax upon the producer falls with increased force on the consumer. Every tax on the producer in this country is a protection to his competitors in all other countries and so narrows his market as to limit the number and lessen the wages of those to whom he can give employment. Every cheapening in the cost or enlargement of the supply of his raw materials, while primarily inuring to the benefit of the manufacturer himself, passes under free competition immediately and passes entirely to the consumer, who very soon gets even more benefit out of it than such reductions seem to carry, because with the rapid widening of his market the manufacturer is able to sell at a smaller profit. It is therefore a very narrow and short-sighted view which supposes that we release the duties on iron ore and coal and wool and other like articles solely for the benefit of those who manufacture our iron, steel, woolen, and other fabrics.

We are legislating for the great millions of consumers beyond them and for the scores of thousands of laborers to whom they may thus give steady and well-paid employment. It is no less a narrow and short-sighted view which supposes that a removal of the tariff duties on such necessities of industry will inflict any real loss upon those who produce them in our own country. The enlargement of markets for our products in other countries, the increase in the internal commerce, and in the carrying trade of our own country will insure a growing home market for all these things that will quickly outstrip anything they could have under the protective system.

The Republican members of the committee, composed of Thomas B. Reed, J. C. Burrows, Sereno E. Payne, John D. Alzell, Albert J. Hopkins, and John H. Gear, six of the most rabid protection Republicans in Congress, in their report assailed the Wilson bill and made a most vigorous attack upon its free raw material policies. And upon this issue the great tariff battle of 1894 was fought, an overwhelming majority of the Democrats in the House standing for free raw materials and the Republicans against it. The Wilson bill provided for free coal, free iron ore, free sugar, free lumber, and free wool. When it went to the Senate there were, unfortunately, a few protection Democratic Senators in that body, as there were in the present Congress when the Payne-Aldrich tariff bill was sent there last year. And these protection Senators had to be reckoned with in order to get any sort of a tariff-reform measure through. An overwhelming majority of the Democratic Senators favored the House bill, and especially its free raw material features, but being forced to a compromise, they consented to many amendments, including, among others, a transfer of coal and iron ore from the free to the dutiable list. This behavior on the part of these protection Senators was so shocking to the Democratic conscience of the country that when the bill went to conference President Cleveland wrote a letter to Mr. Wilson denouncing the Senate bill as an act of "party perfidy and dishonor." In discussing the action of Democratic Senators in putting a duty upon raw material, Mr. Cleveland said in his letter:

One topic will be submitted to the conference which embodies Democratic principle so directly that it can not be compromised. We have in our platforms and in every way possible declared in favor of the free importation of raw materials. We have again and again promised that this should be accorded to our people and our manufacturers as soon as the Democratic Party was invested with the power to determine the tariff policy of the country.

The party now has that power. We are as certain to-day as we have ever been of the great benefit that would accrue to the country from the inauguration of this policy, and nothing has occurred to

release us from our obligation to secure this advantage to our people. It must be admitted that no tariff measure can accord with Democratic principles and promises or wear a genuine Democratic badge that does not provide for free raw materials. In these circumstances it may well excite our wonder that Democrats are willing to depart from this the most Democratic of all tariff principles, and that the inconsistent absurdity of such a proposed departure should be emphasized by the suggestion that the wool of the farmer be put on the free list and the protection of tariff taxation be placed around the iron ore and coal of corporations and capitalists.

How can we face the people after indulging in such outrageous discriminations and violations of principles?

It is quite apparent that this question of free raw materials does not admit of adjustment on any middle ground since their subjection to any rate of taxation, great or small, is alike violative of Democratic principle and Democratic good faith.

Mr. Wilson read this letter of the President to the House, and the RECORD recites that its reading was repeatedly interrupted by demonstrations of Democratic approval and that at the conclusion there was prolonged applause on the Democratic side. Mr. Cleveland also said in the letter that the question presented to the conference was "whether Democratic principles themselves are to be saved or abandoned." After an earnest effort in conference to bring the Senate conferees to an acceptance of the Democratic provisions of the House bill, and after such effort had failed, Mr. Wilson reported the disagreement to the House and asked for a further conference. As showing the extent to which the few Democratic protection Senators had secured control of the situation, Mr. Wilson said to the House:

They (meaning the Senate members of the conference) come to us somewhat fettered and somewhat limited as to any action that they might agree to upon this bill, either by the supposed moral obligations of party caucus or the apprehension that there were forces in the Senate, however small, yet powerful enough to resist successfully the passage of any bill which did not make concessions to great corporate and trust interests that we, representing the House, did not feel on our part to agree to.

But a further conference availed nothing. The Senate conferees being so "fettered" could not recede. So the House was thus put in a situation which required it to yield to the Senate or see all tariff legislation fail. It reluctantly yielded, but at the same time passed a resolution that separate bills for putting coal and iron ore on the free list should be taken up immediately and acted upon.

And in accordance therewith the House did immediately take up bills for putting coal and iron ore on the free list and pass them. These bills were immediately sent over to the Senate and referred to the Finance Committee, and the Democratic members thereof forthwith favorably reported them back to the Senate. The Democrats on that committee were Voorhees, McPherson, Isham G. Harris, Zeb Vance, George Vest, and James K. Jones of Arkansas, and their action in favorably reporting separate bills to put coal and iron ore on the free list immediately after they had voted for an amendment to the Wilson bill to impose duties on those articles shows they did not vote their true sentiments when they voted for the amendment to the Wilson bill, but they were controlled, no doubt, by the fact that they knew they would be unable to secure the passage of the Wilson bill unless they made concessions to "the great corporate and trust interests," one of which was that coal and iron ore should not go on the free list. If I may be pardoned somewhat for a digression here, I want to say I was never more amazed than when I heard not long since the vote of Harris, Voorhees, and other Democratic Senators for a duty on iron ore in the Wilson bill cited as a precedent for Democratic votes for a duty on iron ore in the Payne bill. It was called a "particular instance." It could have been very much more appropriately called a "spurious instance," because, as I have shown, it was a tub which the Democrats were compelled to throw to the corporate and trust whale before the ship of tariff reform was permitted to proceed. The citation was made by a gentleman who was a Member of the House at the time and participated in the struggle which took place between the two Houses on this question, and I assume that he must have been familiar with all these facts which constituted one of the most sensational political dramas of the times. He refused to follow these Democratic Senators then, because he knew they were the victims of sinister influences which they could not control and were not voting their true sentiments. The citation of this spurious instance, this "act of party perfidy and dishonor," as President Cleveland called it, only shows how difficult it is for the opponents of free raw material to find Democratic precedent to support their position. If they are willing to accept Democratic precedent on the question of iron ore, they should have no trouble in finding genuine instances. It is not at all necessary that they should take a spurious case. If they will go back to January 24, 1883, they will find that Senator Maxey, of Texas, moved to put iron ore on the free list and that every Democrat in the Senate save one voted for it. They

will find that in 1884 and also in 1886 an overwhelming majority of the Democrats in the House voted for bills providing for free iron ore. They will find that practically every Democrat in the House voted for free iron ore in 1894.

EXPRESSIONS FROM DEMOCRATIC LEADERS.

Now, Mr. Chairman, let us refer to a few expressions of other leading Democrats on the subject of free raw materials. A very large number could be produced if time permitted.

Guthrie, a Democratic Secretary of the Treasury, in his report to Congress as far back as December 3, 1855, said:

In recommending for the third time the remodeling of the schedules of the tariff act of 1846 and the reduction of the revenues from customs, I have felt constrained by a conviction of its propriety again to recommend, as one of the modes of reducing the revenue, that the raw material used in our manufactures be admitted free of duty.

Under laws of great wisdom and forecast all manufacturing countries, except the United States, now admit the raw material used in their productions free of duty, thereby giving constant and profitable employment to capital and labor, and enabling their factories to furnish a cheaper article and better command of both the home and foreign market, with beneficial employment to their tonnage in making the exchanges.

Again, in his report to Congress on December 1, 1856, Mr. Guthrie urged Congress to put raw material on the free list. He said:

It seemed to me that good policy required the raw material used in our manufactures to be exempt from duty and our manufacturers placed on an equality with those of Great Britain and other manufacturing nations who admit the raw material to free entry. A tax upon the raw material is calculated to increase the cost of the production by the profits of the importer on the tax on the raw material, and the profits of the manufacturer on his outlay for that tax, and the importer's profit thereon, and of the merchant through whom it passes to the consumer, interfering with the manufacturer's enjoyment of both the home and the foreign market on the same advantageous terms of the manufacturer of other nations who obtains the raw material free of duty. A single example illustrates the case: Great Britain admits wool—a raw material—free of duty, and the United States impose upon it a duty of 80 per cent. This enables the English manufacturer to interfere with the American manufacturer in the American markets and to exclude him from the foreign market. It does more. It surrenders the markets of the countries producing the raw material to the nations who take it free of duty.

And in accordance with Mr. Guthrie's repeated recommendations, Congress did, in 1857, put a long list of raw materials for manufacture on the free list.

In a letter addressed to the people of the United States on November 30, 1867, in which he denounced the protective system of the Republican Party, Robert J. Walker said:

After a close investigation of this subject and after examining the tariffs and the manufacturing establishments of foreign countries in 1851-52 and 1863-64, I am convinced that to admit the raw material of manufactures in all cases duty free would greatly increase our wealth, augment our exports, imports, and revenue, and diminish the burdens of taxation. Let us remember that in taking the duty off the raw material the consumers, the people of the United States, get the manufactured article at a lower rate. This, then, is another step in the reduction of taxes.

Now let me quote what Hon. William L. Wilson had to say on this subject in a speech in the House of Representatives on January 8, 1894. Mr. Wilson was at the time chairman of the Ways and Means Committee and the Democratic floor leader. He was a man of great learning and a Democrat of the strictest sect. After a most brilliant career in Congress, he was called to the presidency of Washington and Lee University, as a man whose high character fitted him to be the successor of Lee. In discussing the great work of tariff reform which the Democratic Party was then undertaking, he said:

We begin our task by an effort to free from taxation those things on which the industrial prosperity and growth of our country so largely depend.

Of all the reductions made in this bill there are none in their benefit to the consumer, none in their benefit to the laborer, that can be compared with the removal of the taxes from the materials of industry. We have felt that we could not begin a thorough reform of the existing system, built up, as I have shown, story by story, until it has pierced the clouds, except by a removal of all taxation on the great materials that lie at the basis of modern industry, and so the bill proposes to put on the free list wool, iron ore, coal, and lumber.

Again, Mr. Wilson said:

I have already said, Mr. Chairman, that I believe no tariff bill could carry any benefit to the American people comparable to the proposed release from taxation of the materials of industry. Better give a workman untaxed materials to work with than give him untaxed clothing to wear. Better give him untaxed materials on which to exercise his industry than untaxed and cheapened necessities of life. His wages depend on the products of his labor. Whatever goes as a tax into the material he uses is a diminution of the wages of the laboring man. As you cheapen his materials you widen the market for his products. With untaxed iron and steel in its cruder forms, or even in the humbler beginning of the ore, with untaxed wool and coal and lumber, you enable him to put his finished products on the market at prices that will rapidly and indefinitely increase the number of his consumers, and in this way you secure him steady employment, increasing wages, and that personal independence he can never enjoy in a closed, high-tariff market.

Continuing, he said:

Mr. Chairman, I well remember in the first months of my service in this House, during the debate on the first Morrison bill, listening to a speech of Mr. Abram S. Hewitt, himself a great miner of iron and coal

and a great manufacturer and employer of labor, in which he proved by a masterly reasoning and array of facts that in the organization of modern industry the only protection of labor against corporate and other capital was in its own organizations and its own trade unions; and that the only field in which labor organizations can flourish, the only arena on which trade unions can manifest their power to protect the manhood of their members and the wages of their labor, is a country which throws down the bars and gives the workman untaxed raw material to work with.

On June 24, 1897, Mr. Caffery, a Democratic Senator from Louisiana, in a speech in the Senate, made a very clear statement of the Democratic position on this question. After calling attention to the fact that "no enlightened nation on the globe taxes raw material used in manufactures," and after saying that "a Democrat ought not to sustain a tax on raw material," he argued as follows:

If both the raw material and the finished product are taxed and the principle is carried out all along the line, the burdens on the people are doubled, and in the name of revenue a wall of protection is built up around the country.

If the object is to bottle up the industries of the United States in our borders, a tax on raw materials, added to a compensating duty, accomplishes it. Placing a duty on raw materials handicaps our manufacturers in foreign markets even when a compensating duty is levied.

To recoup he must add the duty on the raw material to the selling price of the manufactured article. This he can not do in a foreign market against a foreign competitor who has free raw materials. You place him on an equality with the foreigner in the home market by a compensating duty and you destroy him in the foreign market. You invite competition at home and you destroy his chance of competing abroad.

I have already called attention to an expression from Senator Coke upon the subject of free raw material. If you will refer to the CONGRESSIONAL RECORD of August 14, 1890, you will find where that grand old Democrat, Senator Reagan, declared positively and emphatically in favor of that doctrine. And I take it it is unnecessary for me to recall any of the expressions of Senator Mills, who made himself the idol of the Southern Democracy by his brilliant leadership for a tariff for revenue only. Everyone knows that he held to free raw material as the only safe road to genuine tariff reform.

Hon. William J. Bryan, when discussing the question of free coal in the Fifty-third Congress, used this language:

They tell us that free coal can not benefit the interior. Take the tariff off from coal so that the New England manufacturers can buy it for less and they can manufacture more cheaply, and then by cutting down the tariff on the products of their factories, we can compel them to sell at a lower price to the people of the South and West. That is the reason our folks are interested in free coal. So long as we lay burdens upon what the manufacturers use they can with some justification ask a tariff on the product of their looms.

Mr. Chairman, in the first place, I believe we can make no permanent progress in the direction of tariff reform until we free from taxation the raw materials which lie at the foundation of our industries.

In 1892, in another speech in Congress, which I do not think has been surpassed before or since in this country as an argument for tariff reform, Mr. Bryan further said, in favor of putting raw material on the free list:

It also takes away entirely those specific or compensatory duties which were added to the ad valorem rates to enable the manufacturers to transfer to the back of the consumer the burden which a tariff on raw material places on the manufacturer. The reason why I believe in putting raw material on the free list is because any tax imposed on raw material must at last be taken from the consumer of the manufactured article.

You can compose no tax for the benefit of the producer of the raw material which does not find its way through the various forms of manufactured product and at last press with accumulated weight upon the person who uses the finished product. Another reason why raw material should be upon the free list is because that is the only method by which one business can be favored without injury to another. We are not, in that case, imposing a tax for the benefit of the manufacturer, but we are simply saying to the manufacturer: "We will not impose any burden upon you." When we give to the manufacturer free raw material and free machinery, we give to him, I think, all the encouragement which people acting under a free Government like ours can legitimately give to a free people.

Mr. Chairman, I have taken the pains to show you by their own expressions that Mr. Cleveland and Mr. Bryan stood shoulder to shoulder upon this question. Under their leadership the Democratic Party was rent from top to bottom as with an earthquake upon a question of finance, but when it came to the great question of tariff reform the divided factions which they led stood together as solid as the Rock of Gibraltar, and would have won a great victory for the people but for a disloyal few who deserted to the enemy in the hour of triumph. [Applause on the Democratic side.]

THE DEMOCRATIC PARTY HAS NOT DISCARDED DOCTRINE OF FREE RAW MATERIAL.

Ah, but they say that the Democratic Party has since then discarded the free raw material doctrine. I deny that it has done so or that it can do so without either abandoning its fight against protection or bringing disaster to our industries. They make the very remarkable contention that in 1896 the Democratic national convention discarded the free raw material doctrine when it declared that tariff duties should be "so ad-

justed as to operate equally throughout the country and not discriminate between class or section." This plank in the platform of 1896 had been the declared doctrine of the Democratic Party since the Walker report of 1846, and I again deny that it meant that the tariff should be treated as a spoils system or that the Democrats should engage in the degraded business of distributing tariff loot. It meant that the tariff was a tax and that the high mission of the Democratic Party should be to adjust the burdens of such a tax equitably, so as not to discriminate between class or section. The consumer pays the tariff. Let it be equitably distributed among them throughout the country. If the convention meant to declare that every industry should have a place at the protection trough and enjoy equal privileges of feeding on each other, as well as on the consumers of the country, why did it not say so?

It is also contended that the Democratic Party of Texas repudiated the doctrine of free raw materials in its platform of 1896. This contention is as far from correct as is their construction of the national platform of 1896. By no known rules of Democratic interpretation can the State platform of 1896 be given the meaning which is attributed to it. Let me read that plank in the platform by which some seem to be so greatly misled. It says:

We believe that the present tariff, which lets into the country raw materials free of duty and levies heavy duties on manufactured products, thus subjecting our agricultural and pastoral classes to competition with the world, while it enables the rich manufacturers, by means of combinations and trusts, to extort their own prices for their product from the people, violates the Federal Constitution as well as the fundamental principles of the Democratic Party, that tariff duty shall be levied and collected for the purpose of revenue only.

Mr. Chairman, I defy any living man to point out anything in this platform declaration to indicate that the Democratic Party intended to discard the doctrine of free raw material. It makes a complaint against some supposed inequalities in the act of 1894, but suggests no remedy and declares no policy. The gravamen of the complaint could not have been that our agricultural and pastoral classes were not protected from the competition of the world, because the Democratic Party believes in competition and denounces protection as robbery. If the complaint was, as it seems to have been and as a construction of the language from a Democratic standpoint would require, that the duties of that act were so high on manufactured products as to shield the rich manufacturers from competition from abroad, so as to enable them, "by means of combinations and trusts, to extort from the people," then the complaint was in accord with Democratic principle, for the Democrats do not favor protection for the manufacturer any more than they do for the producer of raw material. But what is the remedy in a case of this kind? As I have already said, the platform does not point out. According to the opponents of free raw material the remedy is to levy a tariff upon the manufacturer's raw material. Right here they and I part company. I would reduce the duty on the manufacturer's product to a revenue basis, and I would require him to sell in competition with the world, as the producer of raw material must do. It may be asked, Why not put a revenue duty on both the raw material as well as the manufactured product? The answer is easy. The manufacturers of every other enlightened country on the globe are given free raw material. So, if we reduce the duty on the manufactured goods to a revenue basis, if we thus expose our own manufacturers to the competition of the world and at the same time hang millstones around their necks by placing tariff taxes on their raw material, inevitable disaster would result to our entire industrial system. The manufacturer, the producer of raw material, and labor engaged in the service of both would become involved in a common ruin. And if the Democratic Party should ever be so foolish as to adopt such a policy, which God forbid, it may prepare for a death and burial from which there will never be the least hope of resurrection.

Mr. Chairman, this misconstruction of the Texas platform of 1896 has laid the Democrats of that State open to the charge that they have embraced the doctrine of protection. I take advantage of this occasion to refute this charge with all the emphasis I can command. The people of that great Commonwealth are not protectionists. They have never yet bowed the knee to the god of greed. They still hold fast to the faith of the fathers, and in the great struggle for tariff reform which is about to begin our brethren in the other States may be assured none will be more steadfast and loyal than they.

In dealing with the tariff question one of three things must occur. We must have protection all around, or we must have a tariff for revenue only through free raw material, or we must have industrial disaster. A duty on raw material must inevitably result in one of two things—protection or industrial ruin. So it is always safe to bet that the man who advocates a

tax on raw material is in his sympathies at heart a protectionist [applause on the Democratic side], and whenever protectionists need his help they usually get it.

TAX UPON RAW MATERIAL REPUBLICAN DOCTRINE.

Mr. Chairman, a tax upon raw material is distinctly and emphatically a Republican doctrine. Republicans know that free raw material for manufacture would mark the beginning of the end of protection in this country, and for this reason, as I have already shown, every effort of tariff reformers to place raw material on the free list has been resisted with all the might of protectionists. The large majority of the beneficiaries of protection prefer the benefits of a protective tariff to the advantages they may derive from free raw material. They know if their raw material were free from tariff taxation they would have no good reason to urge why duties should not be reduced on their own products and why they should not be required to reduce their prices to consumers. Therefore protectionists oppose free raw material. John Sherman, one of the greatest advocates of protection, in his Recollections of Forty Years in the House, Senate, and the Cabinet, says:

The dogma of some manufacturers that raw materials should be admitted free of duty is far more dangerous to the protective policy than the opposition of free traders.

Again he says:

A denial of protection on coal, iron, wool, and other so-called raw materials will lead to the denial of protection to machinery, to textiles, to pottery, and other industries.

When the Payne-Aldrich tariff bill was before the Senate Mr. Dick, a dyed-in-the-wool protection Republican Senator, said that his State—Ohio—was against free raw material; that she realized that in the doctrine of free raw materials lay the greatest menace to the protective policy; that the manufacturers of Ohio realized that free raw materials can bring but one ultimate result, and that is free manufactures.

On the same occasion in the Senate Mr. ALDRICH declared that he knew of no Republicans and no protectionists who were in favor of the doctrine of free raw materials as understood by Mr. Mills and Mr. Cleveland and the gentlemen who were associated with them in the promulgation of that doctrine.

TAXED RAW MATERIAL AND PROTECTIONISM SYNONYMOUS.

Mr. Chairman, viewed from either a Republican or a Democratic standpoint, it is only through free raw materials that the abominable system of protection can be overthrown and the people relieved of the tremendous burdens such system imposes upon them. The man who defends a tax upon raw material defends protection. He seeks to bar the only approach through which tariff reformers may enter the citadel of protection and destroy it. The advocates of free raw material have no hostile feeling toward the producers thereof. They do not discriminate unjustly against the raw-material industries. They do not ask for free raw material as an end within itself, but only as a means, and the only means, by which the iniquitous system of protection can be safely abolished. They believe that free raw material, accompanied by a reduction of duties on the finished product to a strict revenue basis, is fair and just to the manufacturer, that it is fair and just to the producers of raw material, because it would greatly enlarge and steady the markets of both. They believe that it would be best for the labor employed in both the raw-material and manufacturing industries, because it would give them more constant employment without any reduction of wages. They believe it would result in no diminution of revenues. They know that it would lift from the backs of the people of this country the tremendous burden which a protective tariff imposes upon them. They know that under such a just system the \$4,000,000,000 unjustly wrung from the people annually and put into the pockets of the special interests would remain with the people. They know the cost of living would be greatly reduced. They know that those who make it their business to peddle out the taxing power of the Government to special interests would have scant opportunity to carry on their nefarious business compared to the opportunities they now have.

Mr. Chairman, no one can help despising those who, either from a want of a proper understanding of the question or from unworthy motives, would inject into a discussion of this question a feeling of sectionalism. The man who tries to create the impression that all raw material is produced in the South and all manufactures are in the North, and says that free raw material is a discrimination in favor of the North against the South, either is ignorant or wants to deceive. When he says the advocate of free raw material would expose the South to free trade and give protection to the North, he is either wanting in information or else he wants to accomplish by prejudice what he can not do by argument. All the factories are not in the North by any means. And the South does not produce all

the raw material. Many millions are invested in manufacturing enterprises in the South, and the output of raw materials of the North which a tariff protection would benefit exceeds that of the South. But if, as such men contend, free raw material and a revenue tariff would be of so much benefit to the manufacturer in the North, why would it not build up factories in the South? Must the South forever remain behind in the business of manufacturing?

The Democratic tariff system is a system that is best for every section of our country. It is best for all of our people. It denies that the tariff is a local issue. It would break the alliance between the Government and the special interests. It would restore the taxing power to its proper function. It would treat the tariff as a tax whose burdens should be justly and equitably distributed. And under such a system every man would have a square deal, every industry and every man who "eats bread by the sweat of his brow" would prosper, and this great country of ours would capture the markets of the world, and the seas would be white with our commerce. [Loud applause.]

Mr. KEIFER. Mr. Chairman, I will ask the gentleman from Massachusetts [Mr. KELHER] whether he desires any further time.

Mr. KELHER. Mr. Chairman, I have had no more requests for time as far as this side is concerned.

Mr. KEIFER. Mr. Chairman, it is my purpose to say but a very few words in support of the bill. I have been ready to yield such time as any gentleman might desire, but there are no applications from anybody who is present at this time. It is not my purpose to enter into any discussion of the pension question, and I know, Mr. Chairman, of no particular question being seriously made in reference to the appropriations proposed by the bill. I wish to say for the benefit of gentlemen who are interested that there is a mistake in the printed report as circulated here this morning, on page 3, where this language is used:

The bill provides for the payment of one pension agent at \$4,000.

That was inadvertently left in the manuscript in undertaking to use that which was contained in a former report relating to the act of June 30, 1885. On the contrary, the report states, on page 5, at the bottom, this:

The committee has not changed its views with reference to the reduction of the pension agencies, nor is there any reason to believe the House has changed its views on the proposition; but as the issue was made and failed at the last session of this Congress, it is not deemed expedient to revive it at this, the short and concluding session of the Congress.

Mr. FOSTER of Illinois. Mr. Chairman, I desire to ask the gentleman this question: Have the committee abandoned their idea of consolidating the pension agencies by appropriating for 18 in this bill?

Mr. KEIFER. I have just read the proposition from the report, which indicates that the committee stands where it believes the House still would stand in opposition to the continuance of 18 agencies, but as the question was fought out between the House and the Senate in this Congress, as well as in the two preceding Congresses, it was not thought that it would be wise to undertake to involve the session with a controversy of that kind again.

Mr. FOSTER of Illinois. Well, does not the gentleman from Ohio think that in view of the fact the House has taken this position in two Congresses—

Mr. KEIFER. In three.

Mr. FOSTER of Illinois (continuing). In three—we ought now to abandon the position this one time.

Mr. KEIFER. Well, Mr. Chairman, all I can say is we are not abandoning our position on the subject, but we want to avoid an unnecessary contest when we know the result in advance. The House had to recede in this Congress. It did recede in the last hours of the session in June last, and we thought we would have to do the same thing if we took it up again, and while we are willing to go on record that we are in favor of consolidating the pension agencies into one agency, we are not willing to undertake to take the time of the House unnecessarily with that question again.

Mr. FOSTER of Illinois. Excuse me for another question. Does the gentleman from Ohio think it is possible that the Senate might not have changed their minds?

Mr. KEIFER. We do not think they are of that changeable mind over in the Senate, for we for some years have spent weeks and months and hours in each session in trying to persuade them that they were wrong, and we do not want to go over it again at this session. I have not changed my views about it. In fact, I still believe that by the consolidation of the agencies and by the use of addressing and directing ma-

chines such as we have now in several of the agencies and at the Pension Office, we could save an expense to the Government of from \$250,000 to \$300,000 annually. I have no reason to change my mind on that subject. But I do not think it wise to make the question now.

Mr. FOSTER of Illinois. The House ought to go on record as being against that at this session.

Mr. KEIFER. It is on record in this Congress, very fully, on that question; and we say this much in the report, and sort of protect ourselves from the claim that we have changed our minds.

Mr. JOHNSON of South Carolina. I would like to ask the gentleman a question.

Mr. KEIFER. Certainly; I yield to the gentleman.

Mr. JOHNSON of South Carolina. Is it true that in a conference on this subject two or three years ago the House conferees pointed out to the Senate conferees that there could be a tremendous saving by the consolidation of these agencies, and one of the conferees at the other end of the Capitol said they would look into it, and another conferee said a word I do not care here to repeat, by way of emphasis, and that it was not the saving but the jobs they wanted?

Mr. KEIFER. I heard nothing of that kind. I did understand that Senators, as well as Representatives on this floor who were interested in pension agents and agencies, fought hard to maintain the agencies, but I do not think that was said in conference, and I do not know that if it was said in conference I would feel called on to disclose what took place there between the Senate and the House conferees.

Mr. JOHNSON of South Carolina. I do not want to go beyond the bounds of parliamentary procedure, but I thought we could do it very well within the bounds of parliamentary law, and emphasize the fact as to why this consolidation had not taken place.

Mr. KEIFER. So far as I am concerned, I have made the fight to the very limit of the last minutes of several sessions of Congress, and I am not willing that the appropriations should fall when it is necessary to pay the pensioners. I surrendered myself very unwillingly—not my views, but to the necessity of the case.

Mr. JOHNSON of South Carolina. In other words, you were held up.

Mr. KEIFER. That is your construction of it. I am not often held up, but we had to yield to the general judgment, I think, of the Members of both Houses, that it was not expedient to defeat a pension appropriation bill and suspend the payment of pensions to the old veterans of the different wars.

Mr. NORRIS. Will the gentleman yield?

Mr. KEIFER. Certainly. I am glad to yield to anybody.

Mr. NORRIS. I would like to inquire of the gentleman why on page 2 of the bill there is specific mention of the New York agency? Why is that necessary?

Mr. KEIFER. Mr. Chairman, that is answered by saying that for a great many years it has been necessary to have the pension agency located in the city of New York in a building not owned by the Government, and that is the only agency in the United States so situated, and so long as that agency has existed there we have appropriated annually \$4,500 to pay rent for the building occupied by the agency. It is not new in this bill. No other bill that I can recall had any appropriation in for the payment of rent for agencies except the one in New York City.

Now, the bill appropriates for Army and Navy pensions, for invalids, widows, minor children, dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls or who may hereafter be placed thereon under the provisions of any and all acts of Congress, \$153,000,000, and it also provides, as has been the practice, as provided in former like bills, that the appropriation for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose.

This proposed appropriation of \$153,000,000 is exactly the estimate made by the Commissioner of Pensions, and as it comes to us from the Secretary of the Interior. We have neither increased nor decreased the sum estimated.

I will say that the appropriation for the present fiscal year was \$155,000,000 for the payment of pensions alone. This bill will appropriate \$2,000,000 less to pay pensions than the one for the present fiscal year. This is in consequence of the roll decreasing in number rather more than usual on account of deaths. It would not be so high this year as formerly if the annual value of the pensions to certain pensioners had not increased, especially those of the Civil War pensioners on account of increased age.

The number of pensioners on the roll at the end of last fiscal year, ended June 30, 1910, was 921,083, a decrease from the fiscal year 1909 of 25,111. This decrease came from death and other causes, which decreased the number of pensioners upon the roll. The number of Civil War pensioners who died during the fiscal year ending June 30, 1909, was 32,831, and the number who died during the fiscal year ending June 30, 1910, was 35,312. The decrease was greater in the last year, notwithstanding the number on the roll that year was less. This increase of deaths is because the veteran soldiers of the Civil War are naturally growing, all of them, older and more feeble from year to year. There have not been a very large number added to the roll of Civil War pensioners in the last fiscal year. The Civil War has been over above 45 years. There are few Civil War soldiers below 62 years of age, and the greater number of survivors of that war are above 70 years of age.

It will be noted that the deaths of Civil War pensioners are somewhere in the neighborhood of 100 a day; and the present commissioner, Mr. Davenport, in answer to a question asked him by a member of the subcommittee of the Committee on Appropriations having charge of this bill, indicates that the present death rate is not far from the average death rate of 100 a day. At this rate the roll will go down very rapidly this year, and for that reason and other causes the commissioner was of the opinion that an appropriation of \$153,000 would be ample for the fiscal year ending June 30, 1911.

Mr. GOULDEN. Will the gentleman from Ohio yield?

Mr. KEIFER. I will.

Mr. GOULDEN. What is the percentage of the increase of deaths in 1910 over 1909?

Mr. KEIFER. I have not calculated it. I have already stated that the deaths for the fiscal year 1909 were 32,831 and for the fiscal year ending June 30, 1910, 35,312. I have not made the calculation as to percentage.

Mr. GOULDEN. About 10 per cent, I should judge.

Mr. KEIFER. Probably more than that, taking into account the lesser number of Civil War pensioners on the roll.

Mr. GOULDEN. Then, in the opinion of the gentleman having charge of the bill, the increase in the death rate in the future would not be very much larger?

Mr. KEIFER. I think it would be very much larger in percentage in the future than in the past, taking into account the lesser number of surviving Civil War pensioners.

Mr. GOULDEN. As an officer and trustee of the soldiers' home in the State of New York, where we have about 2,000 inmates, it is discovered that we had a death rate of about 10 per cent in the last two or three years. We are now averaging nearly one death a day.

Mr. KEIFER. I understand from those personally familiar with the old soldiers of the Union Army and of the Confederate Army, in the homes for them in the South, that the death rate in the past year or two has been very much greater than ever before, and promises to be very great in the near future.

Mr. MANN. Will the gentleman yield to a question?

Mr. KEIFER. Certainly.

Mr. MANN. Is the gentleman able to approximate the death rate in the last year?

Mr. KEIFER. I could if I had a pencil and paper and had time to figure a little.

Mr. MANN. The gentleman has stated the number of deaths, and there are over 900,000 on the roll.

Mr. KEIFER. That refers to all pensioners, widows, and others—921,083 is the exact number on the pension rolls at the end of the fiscal year ended June 30, 1910.

Mr. MANN. How many deaths were there?

Mr. KEIFER. I think the total deaths are stated somewhere in the commissioner's report at 51,851, and 35,312 of the total number were Civil War pensioners.

Mr. STAFFORD. I may say, for the benefit of the gentleman, the number of pensioners at the close of the fiscal year 1910 of Civil War sailors and soldiers was 602,080, and widows and dependents 318,461. On a basis of 602,000 and 35,312 deaths it would be a percentage of 5.08.

Mr. MANN. It is not a very large death rate after all.

Mr. KEIFER. Not considering the average great age of the soldiers of the Civil War.

Mr. MANN. It would not have been any great increase in the death rate. A death rate of one is very small.

Mr. GOULDEN. I think I can say to my friend from Illinois it is not very large, but in the various soldiers' homes the hospitals now take in about 25 per cent of all the inmates of the homes, so that old age and weakness, largely incident to service in the Army, keep increasing the number in the hospitals.

Mr. KENDALL. Will the gentleman please repeat that statement?

Mr. GOULDEN. That 25 per cent of the inmates of the homes are in the hospitals, and that in a very few years 50 per cent of them will be found there, requiring daily medical attendance.

Mr. KEIFER. Now, Mr. Chairman, in addition to the appropriation for the payment of the pensioners, the bill appropriates \$688,000 to pay the fees and expenses of examining surgeons, and for the salaries of 18 agents, and for clerk hire and other services at the pension agencies, and for the rent of a building for the agency at New York, and for examination and inspection of pension agencies, and for stationery and other necessary expenses. These are separately provided for, however, in the different paragraphs of the bill.

This is a reduction in the expense of paying the pensions of about \$70,000 below the amount of the bill of last year. It is a singular fact that while the pension roll is very large and while we still maintain these 18 agencies at different places over the United States, the cost of paying pensions has gone down steadily from year to year from above \$4,800,000 a year back in Cleveland's last administration to a much less sum at present. This, of course, comes from better business principles, the introduction of addressing machines and machines for making additions, and so on. I think this is worthy of being noticed.

Now, unless other questions are asked I have no disposition to discuss the bill further. I do not care to discuss the general subject of pensions.

It might be well enough to call attention to the fact, perhaps, that we are still paying a large amount of money on account of pensions to pensioners residing in foreign countries. There are 66 foreign countries in which pensioners reside and are paid. Those most prominent in the list are Canada, Ireland, and Scotland, as a part of Great Britain, Germany, Mexico, and so forth. The total number of pensioners paid in those countries in the last fiscal year were 4,972, and the total amount of pension money disbursed to these foreign-residing pensioners the last fiscal year was \$868,257.15. Ireland residents alone received \$79,158.76. She had 452 pensioners on the rolls of the United States. There resided last fiscal year in Canada 2,588 pensioners, to whom was paid \$453,262.32. In England resided 361 United States pensioners, to whom was paid \$63,225.54 in that year. In Germany resided that year 571 United States pensioners, to whom was paid \$99,985.54 the last fiscal year.

I only call attention to this to show how faithful the United States has been in standing by those who stood by the Union in the time of the great Civil War. We have hunted them up in distant parts of the world, and we pay pensions to them whether they are residents or citizens of the United States or not.

Mr. STAFFORD. It would be interesting if the gentleman in his long service on the committee had obtained any information as to the percentage of these foreign pensioners who are still citizens of the United States and how many are subjects of foreign Governments. I assume that there were a number originally who were in the service who at that time were foreign subjects and who left these shores after the close of the war to return to their native lands. Can the gentleman give us any information as to the proportion who are still American citizens and those who are subjects of foreign Governments?

Mr. KEIFER. I can not, for I do not suppose it was ever definitely known what number of subjects of other countries were in the Union Army in the Civil War. I think since the matter of paying pensions has come up nobody has paid any attention to the question whether the pensioner was a subject of a foreign Government or not at the time he rendered the service, or whether at the time the pension was granted he was a citizen of the United States or not, as the law was so liberally construed as to pay these people wherever they might live, and regardless of the sovereignty under which they lived; and I do not think the question can be answered by anybody from data at hand.

Mr. KENDALL. Is it not also true that many who were originally allowed pensions as citizens of the United States have returned to their home countries after being allowed their pensions?

Mr. KEIFER. It is my understanding that great numbers of those people went back to their own countries, like those who have gone to Ireland in their old age to die at their old homes, and who will receive their pensions there during their lives just the same as if they had remained in the United States. There are certain others of those who have been pensioned who have removed from the United States and abandoned their citizenship in this country for various reasons.

Mr. GOULDEN. With your long and splendid experience during the Civil War, what would you think as to the number of enlisted men and officers who were foreigners at the time they rendered the service?

Mr. KEIFER. It was a very small percentage, according to my observation. At one time during the Civil War there was quite a number of men who came over and joined the Army, mostly coming to New York, Baltimore, or Boston, where they enlisted in the first regiments that they could get into, because they were people who wanted to go to war, some of them for the sake of the experience and some of them for patriotic reasons. Some were mere soldiers of fortune. Some of those went back, I have no doubt, immediately after the close of their military service. I have seen Germans who could not understand a word of English side by side with soldiers from New England and other parts of the North.

We have seen numbers of such foreigners in the ranks, but the number was not great compared with the total number of the Army.

Mr. GOULDEN. The percentage was very small, probably not over one-half of 1 per cent.

Mr. KEIFER. Some very accomplished and educated men also came over and enlisted in the ranks, to serve until the war was over. We had some distinguished men come to this country who went into the Union Army, as they did into the Confederate Army, for the sake of doing some service, whether from patriotic motives or merely for purposes of experience I can not state. I recollect one. We had a colonel of the Sixteenth Ohio who served through the war, was wounded, and lost one eye. At the close of the war he was brevetted a brigadier general. He was called Col. John de Coursey. Gen. Robert C. Schenck, some years after the end of the Civil War, when serving as minister to the Court of St. James, told me this story. He was attending an entertainment given by a lady in London one night, when the lady asked permission of him to introduce to him a distinguished guest. He consented. The lady brought forward and introduced to him Lord Kinsale, one of the peers of England; and Lord Kinsale said, "Gen. Schenck, you are from Ohio." Gen. Schenck responded by saying, "Yes; but what do you know about Ohio?" He replied: "I am Col. John de Coursey, of the Sixteenth Ohio Infantry. After the war I returned to my own country, to serve in the House of Lords in Great Britain."

This I give as an illustration of what happened here and there, and other instances of a similar character happen in all wars, and have happened through all the history of the world.

Mr. GOULDEN. One question more. Does the gentleman from Ohio know whether Gen. Franz Sigel was a citizen when the war broke out?

Mr. KEIFER. I do not know; but he became a citizen of the United States at some time, if not before the war. He lived for a long time in New York City.

Mr. GOULDEN. I know he did. I was very well acquainted with him; and I think he became a citizen after the close of the war. My impression is that he was not a citizen when he entered the Army.

Mr. KEIFER. I have no knowledge on the subject of his citizenship, except that I know he did represent himself as a citizen some time after the war. There was quite a number of persons who came over here from France at the solicitation of Gen. John C. Fremont—soldiers of fortune, principally—some of whom were successful, were good soldiers, and some who were not.

We put a distinguished major general of volunteers of the Civil War on the retired list recently by act of Congress who was, and is still, a citizen of Germany, and he resides there now—Gen. Osterhaus.

Mr. MOORE of Pennsylvania. Will the gentleman allow me an interruption? I would like to ask him if he recollects anything concerning Count Zeppelin, whose experience in aeronautics have attracted the attention of Germany and the world?

Mr. KEIFER. I do not know anything of him personally or historically.

Mr. MOORE of Pennsylvania. It is said that he is about to pay a visit to this country, and that his friends here are considering a reception by way of tribute for services rendered in the Civil War.

Mr. KEIFER. No doubt he was in the Army, but I have no knowledge on that subject.

Mr. Chairman, I would, if I had time, like to call attention to a series of articles published in a magazine entitled "World's Work." The articles began in the October, 1910, number of that magazine and have continued up to and including the December number. From my very hasty examination of them it seems that they have set out on a mission of assaulting the whole pension roll of the United States. They call it a roll of

fraud, and undertake to recite history in an extravagant way, to condemn the action of the Congress of the United States in the payment of liberal pensions to the Civil War soldiers and sailors and the Spanish War soldiers and sailors, and all other soldiers and sailors who are veterans on the pension roll. I notice, as an illustration of this exaggeration, that the magazine puts down the appropriation to pay pensioners for the fiscal year 1909 at \$165,000,000. That shows that the writer was not particular about the facts, but used pretended facts, so that he might make out what he thought was a strong case against the policy of paying liberal pensions. The appropriation for that year to pay the pensioners of all classes, as shown by a bill reported by myself and passed by Congress, was \$162,000,000. The article seems to be full of such extravagant and untruthful statements.

The last article I have just had put in my hand devotes some space to an attack on the Grand Army of the Republic and some of the distinguished commanders in chief of that Grand Army, such as Gen. Wagner, of Philadelphia, and others, who have committed no crime, as far as I can see, but in the estimation of the article have been guilty only of trying to state facts, so as to have their Civil War comrades receive proper pensions for the patriotic services they rendered during the war to their country.

The attack on the Republican Party for its liberal pension legislation in favor of the widows of deceased soldiers and sailors is equally unwarranted. But further as to these unjust attacks at another time.

Mr. GOULDEN. Who is the author of the article?

Mr. KEIFER. The articles, I think, have all been written by the same people, by Mr. William Bayard Hall, assisted by Albert Sonnichesen. Now, I do not attribute these attacks upon the pension roll or the criticisms upon these distinguished gentlemen of the Grand Army of the Republic to any party, for it is but fair to say that in my experience I have seen no evidence in any party to want to do other than justice to the Civil War soldiers and all other soldiers and sailors of the armies of the United States. But I warn the country against this attempted attack to break down the pension roll. These Civil War soldiers, and I may say my comrades of the Spanish War, who have suffered by reason of the service they have rendered, are all worthy of the most liberal pension that the Government can give to them, and I now only enter my protest against this attack against the Grand Army of the Republic, upon the integrity of the Civil War soldiers and sailors and the widows and orphans of such as are deceased, and upon the administration of the pension laws. These laws have been administered with fidelity by those who have had charge of the matter, whether of one party or the other.

There has been, at times, an honest difference of opinion, of course, as to what the pension laws should be, but they are liberal; and I believe and hope that we can make them still more liberal to the old veterans, who are now ready almost to drop into their graves. Whatever pensions are to be given to these veterans must be given now, and with liberality, or they will pass away without enjoying them.

Mr. Chairman, I did not expect to occupy any considerable time on this pension bill. Unless some person on either side desires to occupy a part of the time, which has been so generously conceded for the general discussion of the bill, I shall ask the Chairman to direct the Clerk to proceed to read the bill under the five-minute rule.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. NORRIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 38.

Resolved by the Senate (the House of Representatives concurring), That there be printed as a document, with accompanying illustrations, for the use of the Senate and House of Representatives, 3,000 copies of the report of the committee and the views of the minority and the evidence taken, together with appendices, in the investigation made pursuant to public resolution No. 9, approved January 19, 1910, authorizing an investigation of the Department of the Interior and its several bureaus, officers, and employees, and of the Bureau of Forestry, in the Department of Agriculture, and its officers and employees, 1,000 for the use of the Senate and 2,000 for the use of the House of Representatives, and that there be printed in one volume 30,000 additional copies of the report of the committee and the views of the minority, 10,000 for the use of the Senate and 20,000 for the use of the House of Representatives.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. ASHBROOK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For salaries of 18 agents for the payment of pensions, at \$4,000 each, \$72,000, or so much thereof as may be necessary.

Mr. FOSTER of Illinois. Mr. Chairman, I offer the following amendment as a substitute for the paragraph which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out on page 2, lines 12, 13, and 14, and insert in lieu thereof the following:

"For the payment of one pension agent, for paying pensions, \$4,000."

Mr. FOSTER of Illinois. Mr. Chairman, this is only in line with the action of this House for the last three Congresses, and while the bill has gone to another body, where the other 17 agencies have been placed back in the bill, yet I believe that this House should again go on record either for or against the proposition. If this House is going to abandon the consolidation of these pension agencies, we should do it by a vote of the House and forever give up the idea of economy in that direction.

Mr. KELIHER. Mr. Chairman, without having any desire to interpose objections to the amendment offered by the gentleman from Illinois, I desire to say, merely confirming what has been stated by my colleague on the committee, the gentleman from Ohio [Mr. KEIFER], that as conferees on the part of the House on this proposition we fought the matter out to the very last day in favor of this proposition. We found the Senate conferees obdurate, and unquestionably the same conferees will be reappointed and we will go through the same process again. The House has spoken on this proposition. The same membership is here, and while I shall not oppose the amendment as offered, I do not know that anything can be accomplished other than, of course, to reaffirm our position on the matter.

Mr. FOSTER of Illinois. Mr. Chairman, I would like to ask the gentleman a question, and that is if he imagines there will be any difficulty about the matter getting back in the bill if it goes out. From what the gentleman says the other body will likely insist upon it again.

Mr. KELIHER. Mr. Chairman, of course we will go through the same procedure again. We will fight until the last ditch, and there will be a danger of no appropriation being made for the year. Of course we will have to withdraw our objection and allow the position of the Senate conferees to obtain, but I believe that if the gentleman will be patient he will find there is in contemplation another proposition which may meet what he requires and wishes to obtain in a different manner, and in that we may meet with more success.

Mr. GOULDEN. Mr. Chairman, I have no desire to discuss the amendment offered by my distinguished friend from Illinois [Mr. FOSTER], but I do not believe the time is opportune, I do not believe the time has arrived in the payment of this large pension roll to a great number of pensioners, when we should eliminate the other 17 pension agencies. I voted against this the last three Congresses, and I shall vote against the amendment on this occasion. I agree with the gentleman from Massachusetts that the time will arrive, and in the near future, when one agency may be able to do the work, but I know that those benefited by the laws of the United States, the pensioners, are certainly opposed to this character of legislation. They do not believe that the matter would be expedited nor so well or so satisfactorily done as it is under the present system. I am, therefore, opposed to the amendment offered by the gentleman from Illinois. And I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, I just want to inquire of the gentleman from New York if he does not know that the Secretary of the Interior and the Commissioner of Pensions have both recommended the consolidation of these agencies upon the ground that the business could be more economically handled and just as satisfactory to the pensioners.

Mr. GOULDEN. I am fully aware of that, and I have the highest regard for both gentlemen, but as a Member of this legislative body I do not allow any administration officer to influence or direct how I shall vote on the floor of this House. I will now be glad to yield to the gentleman from Nebraska.

Mr. NORRIS. The gentleman from New York and also the gentleman from Massachusetts have said that there is going to be an attempt to accomplish this in some other way. Could the gentleman give us the benefit of his knowledge in regard to that and tell us in what other way it is proposed to be accomplished and how and when?

Mr. GOULDEN. I will say I am not in possession of any such knowledge. The question, if answered, must be answered by the gentleman from Massachusetts.

Mr. NORRIS. I understood the gentleman from New York to say that it was going to be brought about in some other way.

Mr. GOULDEN. In the near future, yes; but not now.

Mr. NORRIS. If it is to be brought about in the near future and is accomplished, then will it not be just as bad for the pensioners as it would be if accomplished now?

Mr. GOULDEN. Not at all. I mean when the roll decreases, say, to 500,000 or less, then it can safely be done.

Mr. NORRIS. You mean it will be brought about by the death of the pensioners?

Mr. GOULDEN. I do; absolutely.

Mr. MOORE of Pennsylvania. If this decapitation of 18 heads is to take place at all, would it not be more agreeable to this House, as it is now constituted, to have the whole performance go over until the next House, when the act could be more gracefully performed?

Mr. GOULDEN. I think not. I would not agree with the gentleman for a moment. I shall not be a Member of the next House, but if I were I should find myself voting, as I shall vote to-day, against the amendment.

Mr. MOORE of Pennsylvania. I was just in fear that the gentleman from New York would not be in the next House and we would not have his support in favor of retaining the agencies; that we would be left entirely at the mercy of our friend from Illinois, who is striking out now upon the line of economy. Why not perform this unhappy act after we have gone peacefully from this side of the House?

Mr. GOULDEN. I think my friend from Pennsylvania is simply apprehending something that will never occur. There is as much patriotism on this side of the House to do what is right for the old soldier as there is on that side, and always has been, and I have no hesitancy in saying even my good patriotic friend from Illinois, if he thought this amendment would prevail in both Houses, I really think he would not offer it. [Laughter.]

Mr. FOSTER of Illinois. Does the gentleman think because he will not be in the next House this unpleasant duty ought to be put off until that time?

Mr. GOULDEN. No; I do not think that at all. I would be ready to meet it to-day, and my not being in the next House is purely a voluntary act on my part. It is not because of retirement under force of circumstances.

Mr. MANN. No apologies.

Mr. KEIFER. Mr. Chairman, I simply desire to say a word of explanation of my vote that I shall cast on this amendment. I have already stated that I was in favor of a reduction or consolidation of pension agencies from the present number of 18 to 1. In a former session of this Congress and in sessions of other Congresses I have advocated at length the policy of a reduction of pension agencies, believing that it would be economy to do so. It has been my lot to be with others of the House on the conference committee, not only in this Congress but in preceding Congresses, in which this subject has been under discussion, the Senate standing firmly on the proposition that the agencies should all be maintained and we standing for the judgment of the House and our own opinion in favor of the reduction of the agencies. Now, we went through this very fully at the second session of this Congress and went through the very same difficulties in the last session of each of the preceding two Congresses, and we found that we could not pass a pension bill unless we consented to an amendment providing for the appropriation of the 18 agencies. I came to this House at the last session and stated this and submitted the question to the House, and the House agreed that the conferees on the part of the House should recede from our position on that subject and we did recede, and the pension bill for the present fiscal year was passed.

After we had gone through all this trouble in that session, we found we were driven to do that. Now, at the close of the Congress, during the short session, the Committee on Appropriations, I think with entire unanimity, agreed that it was not either wise, or perhaps proper, to undertake to make the question over again in the same Congress, and especially when we had but a short time to take it up and rediscuss it and carry on the controversy. I have not changed my mind in the least on the subject, but I did not care to go through the same thing I have gone through with three times or more before, when I can only expect the same result. For that reason I shall vote against the amendment, and for that reason alone. And I appeal to the House to vote the amendment down, not upon the theory that the pension agencies should not be reduced, but because it is impracticable and impossible to do it at this time.

Mr. SIMS. I want to ask the gentleman if he sincerely believes that the gentlemen in another body would absolutely cut off and refuse to make appropriations at all if they could not get these 18 agencies provided for?

Mr. KEIFER. It came up at the very last hour in several sessions. I had a bill passed here on the 4th day of March, 1909, after 10 o'clock of that day, and within two hours of the Congress adjourning sine die, and we had a hard time to get it enrolled and signed by President Roosevelt just as his term expired, and the question then stared us in the face whether we should adjourn and have a called session of a new Congress to provide for the appropriation to pay pensions for the fiscal year beginning the 1st of July, 1909.

Mr. SIMS. They think more of taking care of 18 agents than 900,000 pensioners, then?

Mr. KEIFER. If that criticism applies, it applies to all parties in the Senate. Distinguished Senators of both parties stood firmly together and debated from day to day, night after night, and week after week, the question with us, and said that they would not yield; and that continued up to the end of each session, and presumably the Senate's views remain the same up to the present time. I think I am as contrary or as obstinate as anybody, and but for the desire to appropriate money to pay the pensioners, my comrades of two wars, I should never have yielded.

Mr. SIMS. The gentleman wants to stand by the pensioners instead of 18 agents, while these gentlemen prefer to stand by the agencies.

Mr. KEIFER. Stand by the pensioners, even if I had to take care of 18 agencies. I think that would be the best policy, and I think the gentleman would agree with me when it came to that.

Mr. SIMS. I think the other body would agree to it if they would only come to the conclusion that this body meant what it said.

Mr. KEIFER. We have carried this thing to the last degree, I think, more than once, and I appeal to my friends not to embarrass this session by that question again.

Mr. ADAIR. Does not the gentleman believe it is possible that some of those Senators have changed their minds by this time by reason of what occurred on the 8th of last November?

Mr. KEIFER. I do not think they have changed their minds. One Member has tried a candidacy for another office, and he is a splendid man, once a pension agent himself in his own State. Though a splendid Democrat in every way, he has been as firmly in favor of sustaining and holding onto the 18 agencies as anybody else who had an agency to protect. So it is not a party question. I do not believe any of these people have changed their minds.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. KEIFER] has expired.

The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. FOSTER].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. FOSTER of Illinois. Division, Mr. Chairman.

The committee divided; and there were—ayes 19, yeas 24.

So the amendment was rejected.

Mr. FOSTER of Illinois. Tellers, Mr. Chairman.

Tellers were ordered, and Mr. KEIFER and Mr. FOSTER of Illinois took their places as tellers.

The committee again divided; and there were—ayes 46, yeas 35.

So the amendment was agreed to.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, I make the point of order that there is no quorum shown by this vote.

Mr. MANN. Mr. Chairman, I make the point of order that the vote does not have to disclose a quorum; that is the gentleman's point of order. It is not necessary to disclose a quorum.

Mr. GRAHAM of Pennsylvania. It is necessary to disclose that a quorum is here.

Mr. MANN. But it is not necessary for the vote in committee to disclose that a quorum is here.

Mr. GRAHAM of Pennsylvania. I make the point of order that there is not a quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order that there is not a quorum present. The Chair will count. [After counting.] There is not a quorum present. Under the rule the Clerk will call the roll and ascertain the names of absentees.

The roll was called, and the following Members failed to answer to their names:

| | | | |
|---------------|--------------|--------------|-----------|
| Allen | Bennett, Ky. | Calderhead | Cook |
| Ames | Boehne | Cantrill | Coudrey |
| Anderson | Boutell | Capron | Covington |
| Andrus | Bradley | Carter | Cox, Ohio |
| Ansberry | Broussard | Clayton | Craig |
| Anthony | Burleigh | Cocks, N. Y. | Cravens |
| Barchfeld | Butler | Cole | Creager |
| Bartholdt | Byrd | Collier | Currler |
| Bennet, N. Y. | Calder | Conry | Dalzell |

| | | | |
|-----------------|----------------|-----------------|---------------|
| Dawson | Guernsey | Lowden | Pujo |
| Denby | Hamill | Lundin | Rainey |
| Douglas | Hamilton | McCall | Randell, Tex. |
| Driscoll, D. A. | Harrison | McCredie | Reeder |
| Driscoll, M. E. | Hawley | McGuire, Okla. | Reid |
| Durey | Heald | McKinlay, Cal. | Reynolds |
| Edwards, Ky. | Henry, Tex. | McKinney | Rhinock |
| Elvins | Hill | McLachlan, Cal. | Riordan |
| Englebright | Houston | Madison | Roberts |
| Fairchild | Howell, Utah | Malby | Robinson |
| Fassett | Hubbard, Iowa | Martin, Colo. | Rodenberg |
| Ferris | Huff, Pa. | Martin, S. Dak. | Rothermel |
| Finley | Hughes, W. Va. | Maynard | Rucker, Colo. |
| Fish | Johnson, Ky. | Millington | Rucker, Mo. |
| Focht | Johnson, Ohio | Mondell | Sabath |
| Foelker | Kitchin | Moore, Tex. | Scott |
| Fordney | Knapp | Moss | Snapp |
| Foss, Mass. | Kronmiller | Mudd | Southwick |
| Foster, Vt. | Kuftermann | Murphy | Spight |
| Fowler | Lafean | Needham | Stanley |
| Gaines | Lamb | O'Connell | Taylor, Colo. |
| Gardner, Mass. | Langham | Olcott | Thistlewood |
| Garner, Pa. | Langley | Olmsted | Thomas, N. C. |
| Gill, Mo. | Latta | Page | Wallace |
| Gillespie | Law | Palmer, H. W. | Washburn |
| Glass | Lawrence | Parker | Weisse |
| Goldfogle | Lee | Patterson | Wheeler |
| Good | Lenroot | Payne | Willett |
| Gordon | Lever | Pearre | Woods, Iowa |
| Graff | Lindsay | Pickett | Woodyard |
| Greene | Livingston | Plumley | |
| Gregg | Longworth | Pou | |
| Griest | Loudenslager | Pratt | |

Under the rule the committee rose, and the Speaker resumed the chair.

The CHAIRMAN. Mr. Speaker, the Committee of the Whole House on the state of the Union, finding itself without a quorum, the Chair caused the roll to be called, and reports the absentees.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee finding itself without a quorum, under the rule he caused the roll to be called, and reports the names of the absentees. The call of the roll discloses the presence of 224 Members, a quorum.

Mr. HUGHES of New Jersey. Mr. Speaker, I would like to ask unanimous consent that the Record of yesterday be corrected. I am recorded as not being present on a roll call such as this under the rule.

The SPEAKER. If the gentleman will make a statement and put it on the Clerk's table, the Chair will lay it before the House before adjournment, or will recognize the gentleman. Under the rule no business can intervene except a motion to adjourn.

Mr. HUGHES of New Jersey. I thought perhaps by unanimous consent it could be done.

The SPEAKER. Well, there will be no trouble about it a little later. The committee will resume its session.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For rent, New York agency, \$4,500.

Mr. FOSTER of Illinois. Mr. Chairman, I move to strike out the paragraph just read.

Mr. KEIFER. I could not hear what the motion was.

The Clerk read as follows:

Page 2, strike out lines 20 and 21.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. FOSTER of Illinois. Mr. Chairman, my motion, as I understood, in the confusion, was that the Clerk read for New York agency, \$4,500. As the pension agencies have been consolidated, or placed in one, I take it there is no use of appropriating for a pension agency in the city of New York.

Mr. KELIHER. Will the gentleman yield for a question?

Mr. FOSTER of Illinois. Certainly.

Mr. KELIHER. Does the gentleman assume, because this paragraph has been stricken out, that the consolidation has really occurred?

Mr. FOSTER of Illinois. No; I am just getting ready for the consolidation if, by any chance, it should occur.

Mr. KELIHER. Does the gentleman realize that if this amendment were agreed to, and the consolidation did not go through, the New York agency would be without the means of paying its rent for the coming year?

Mr. FOSTER of Illinois. They will restore that if they restore the agencies, I take it.

Mr. FITZGERALD. I understand that the gentleman's amendment leaves one agent.

Mr. FOSTER of Illinois. One agent.

Mr. FITZGERALD. Does the gentleman not expect that that agent will be located at the most important place in the United States—the city of New York?

Mr. FOSTER of Illinois. The most important place for the payment of pensions would be the city of Washington.

Mr. KEIFER. Mr. Chairman, I do not think it is very important whether this motion prevails, to strike out lines 20 and 21 on page 2 of the bill, or not. Probably those lines had better be stricken out, because, assuming that the agencies are to be consolidated, and we only appropriate for one, we could not again get jurisdiction of the paragraph in lines 20 and 21, if we do not do it now. If it is left in the bill by the House and Senate, it can not go to conference. If the matter is ever to go to a conference on the question of the agencies, it will be just as well to have this question of rent for the New York office go to conference also.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. FOSTER].

The amendment was agreed to.

The Clerk read as follows:

For examination and inspection of pension agencies, \$1,500.

Mr. CULLOP. Mr. Chairman, I move to amend by striking out lines 22 and 23 on page 2.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strikes out lines 22 and 23.

Mr. KELIHER. Mr. Chairman, I should like to ask the gentleman from Indiana if, assuming that the consolidation takes place, he would like to make any provision for the inspection and examination of the one agency remaining?

Mr. CULLOP. There will be but the one agency, and that, in all probability, will be at Washington, where the examinations will be free of expense.

Mr. KELIHER. The gentleman so assumes?

Mr. CULLOP. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question being taken, on a division (demanded by Mr. MANN and Mr. NORRIS) there were—ayes 92, noes 29.

Accordingly the amendment was agreed to.

The Clerk resumed and completed the reading of the bill.

Mr. SMITH of Iowa and Mr. FOSTER of Illinois rose.

Mr. FOSTER of Illinois. Mr. Chairman, I offer an amendment as a new section.

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH], a member of the committee, is first recognized.

Mr. SMITH of Iowa. I offer the following amendment.

The Clerk read as follows:

On page 2, after line 25, insert as a separate paragraph:

"The Commissioner of Pensions is directed to formulate and embrace in his next annual report a simplified plan for the payment of pensions, whereby all preliminary vouchers shall be abolished, and the only vouchers required shall be attached to or be a part of the payment checks; and the commissioner shall further report what, if any, changes in the law are necessary to carry such plan into effect."

Mr. SMITH of Iowa. Mr. Chairman, under a practice which has long prevailed, at the time that the check for a past quarter is mailed to the pensioner there is mailed in the same envelope a voucher of about the size of one full sheet of letter paper covered with printed matter. This voucher is about three times the size of the check itself, and about three-fourths of the contents of each envelope in weight will be found in this voucher.

There are in round numbers about 1,000,000 pensioners, and these vouchers are thus carried out by the Government, and of course at least the railway mail pay is incurred upon them four times a year. Four million of these vouchers are annually sent out to the pensioners. They are signed and returned to the pension agency in a Government penalty envelope, so that the Government again carries the voucher back through the mail and has the expense of providing 4,000,000 penalty envelopes for their return.

When they get back they are examined by the pension agent before he issues the check, and as the voucher can not be executed before the 4th day of the month, the check reaches the pensioner anywhere from two or three days to two weeks after the date when payment of the pension is due.

This is an antiquated system of paying money, and the proposition is that hereafter the check shall be mailed to the pensioner and upon it there shall be a sufficient voucher which in all respects will protect the Government and thus enable the pensioner immediately on the 4th of the month to deposit his check in any bank with voucher attached, duly executed, and draw his pension. By this means you will save the carrying of this 4,000,000 of documents twice through the mails every year; you will save the printing of these vouchers in a large part, because the voucher will be much more brief on the back of the check. You will save the paper on which the vouchers are printed, you will save 4,000,000 envelopes, and you will save the vast clerk hire in every pension agency in the United States for

clerks who fill up the vouchers, which are nothing but waste paper on the files of the Government. You will have the voucher executed simultaneously with the deposit of the check, and the pensioner will receive the money when due, and not a week or two weeks after it is due.

I am anxious that this modern system may be inaugurated in the Pension Office and take the place of this obsolete and antiquated system of payment. And when this amendment shall have been adopted, as I hope it will be, the Pension Bureau will be set at work for this next year working out the administrative details and the trifling changes of law that will be necessary to the end that this modern system may be put in operation, beneficent in every respect as it is. [Applause.] I ask that the amendment be adopted.

Mr. KEIFER. Mr. Chairman, I do not rise to oppose this amendment; I make no point of order against it, for I think it is a proper one. There is another consideration, however, and that is, a great many of these soldiers and their widows are old, and to some of them it is a great hardship in certain seasons of the year to go to distant parts and sign a voucher, and some are put to great trouble and expense in order to get these vouchers executed and signed and transmitted. I think the proposition to have the subject looked into and a report made is a very interesting and important one.

Mr. SIMS. I would like to ask the gentleman a question. In the new plan, which I heartily approve, will it require a signed voucher before a notary public?

Mr. KEIFER. No; that is all dispensed with, according to the plan of the gentleman from Iowa. They will sign the check on the back, with a proper voucher there. That is my understanding.

Mr. HULL of Iowa. The gentleman from Ohio has given a good deal of attention to these pension matters since he has been a member of the subcommittee. I would like to ask him what safeguard would the Government have in order to see that improper persons or wrongful persons did not get the checks and cash them? What evidence would come back showing that the proper persons had received the money?

Mr. KEIFER. The Government would have the same safeguards that it has now.

Mr. SMITH of Iowa. There would be more safeguards than there are now. If the gentleman will permit me—

Mr. KEIFER. Certainly.

Mr. SMITH of Iowa. Under the existing system the check is sent when the voucher is received and examined. There is not the slightest safeguard as to who will cash the check. Anybody that can sign the name of the pensioner on the back of the check can draw the money. The widow or a pensioner's dissolute son or a quasi member of the family could draw the money unlawfully by signing the name of the pensioner. That is all that is necessary.

Under the new system there will be a voucher on the back of the check or attached to it by which the signer will be absolutely identified as being the payee of the check, and far more security to the Government than under the present system.

Mr. HULL of Iowa. The law of merchants would guard against anybody drawing a check made payable to another individual. There is nothing in that proposition. The Government requires that no voucher shall be executed until after the date of the payment shall have matured, which, in Iowa, is the 1st day of the month of each quarter, or the 4th, I think; in other States there may be other dates, but whatever that date is a man must furnish evidence that he is alive on that date.

He has to furnish evidence that he is the identical person, and show his pension certificate. Now, you may say that is a hardship. It is a hardship, probably, in many cases, but my friend from Iowa [Mr. SMITH] will admit it is true that thousands of men have gone up and made wrongful affidavits to their pensions, and we have had to recover the pension by action.

Mr. SMITH of Iowa. But the gentleman does not understand the proposition. First, you will have a real voucher on the back of the check or attached to it, which will show everything that is shown by this prior voucher, and identify the man that draws the money as the very pensioner, thus making it more effective in every way on every one of these matters to which the gentleman has referred than the old system.

Mr. HULL of Iowa. As I understand the gentleman's proposition, it is to send out the \$160,000,000 to the pensioners before any voucher is filed at all as to whether they are living or dead.

Mr. SMITH of Iowa. In checks. Every check will be payable on the execution of the voucher on the back of the check or attached thereto.

Mr. HULL of Iowa. And that identifies the pensioner more than it does now?

Mr. SMITH of Iowa. Under the old system the check went out unaccompanied by any voucher, and there was no identification of the pensioner at all, but now the man who draws the money on the check will have to be identified as the pensioner.

Mr. HULL of Iowa. The gentleman's check from the House of Representatives goes to WALTER I. SMITH, and it is assumed by the man who cashes that check that you are WALTER I. SMITH, or else he loses.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HULL of Iowa. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may have the time extended for three minutes.

There was no objection.

Mr. KEIFER. Mr. Chairman, the gentleman from Iowa [Mr. HULL] on my right suggests a possible difficulty, and forgets that that same thing obtains now, because it happens in every agency that after the voucher is prepared and sent in for the quarterly statement there are numbers of the pensioners who have died and the check goes to somebody and has to be returned unpaid. That would happen perhaps more frequently if the new plan was adopted, but I only wish to say this in conclusion, that this amendment does not of itself perfect a new and simpler system, but refers the matter to the Commissioner of Pensions to work it out and make a report, which report will be up for consideration at a future session of Congress.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. FOSTER of Illinois. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Add as a new paragraph on page 2:

"The Commissioner of Pensions is hereby authorized and directed, with the approval of the Secretary of the Interior, to arrange the pensioners, for the payment of pensions, in three groups as he may think proper; and he may from time to time change any pensioner from one group to another as he may deem convenient for the transaction of the public business. The pensioners in the first group shall be paid their quarterly pensions on January 4, April 4, July 4, and October 4 of each year; the pensioners in the second group shall be paid their quarterly pensions on February 4, May 4, August 4, and November 4 of each year; and the pensioners in the third group shall be paid their quarterly pensions on March 4, June 4, September 4, and December 4 of each year. The Commissioner of Pensions is hereby fully authorized, with the approval of the Secretary of the Interior, to cause payments of pensions to be made for the fractional parts of quarters created by such change so as to properly adjust all payments as herein provided."

Mr. KEIFER. I make the point of order against that, that it is a change of existing law. If we adopt the plan of abolishing the agencies, I think it would be better for the Secretary of the Interior to work out a new system.

Mr. FOSTER of Illinois. Mr. Chairman, I would suggest to the gentleman from Ohio that this is the same amendment that was incorporated in last year's bill, which we passed, when the pension agencies were abolished in this House. This is only a scheme to carry out the idea we had at that time, and I am heartily in favor of the amendment offered by the gentleman from Iowa; but until that can be put in practice I have thought it was best to have some plan if the pension agencies were consolidated, so I offered that amendment.

The CHAIRMAN. The Chair is of the opinion that the amendment is a change of existing law and is out of order.

Mr. KEIFER. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments agreed to to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, the Chairman of the Committee of the Whole House on the state of the Union [Mr. STERLING] reported that that committee had had under consideration the bill (H. R. 29157) making appropriations for pensions, and had instructed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote asked on any of the amendments?

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I demand a separate vote on the amendment on page 2, lines 12, 13, and 14, which were stricken out.

Mr. KEIFER. Mr. Speaker, I move the previous question on the bill and amendments.

The SPEAKER. The gentleman from Pennsylvania demands a separate vote on the first amendment.

Mr. MANN. I suggest to the gentleman from Pennsylvania he had better have a separate vote on the amendments affecting the pension agencies, and there are three.

Mr. GRAHAM of Pennsylvania. I will modify my motion accordingly.

The SPEAKER. Does the gentleman from Pennsylvania desire a vote separately or en bloc?

Mr. GRAHAM of Pennsylvania. On the first three.

The SPEAKER. The question is on agreeing to the first three amendments.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. GRAHAM of Pennsylvania) there were—ayes 100, noes 20.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Twenty-three gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

So the first three amendments were agreed to.

The SPEAKER. The question now is on the fourth amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEIFER, a motion to reconsider the vote by which the bill was passed was laid on the table.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following concurrent resolution was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

Senate concurrent resolution 38.

Resolved by the Senate (the House of Representatives concurring), That there be printed as a document, with accompanying illustrations, for the use of the Senate and House of Representatives, 3,000 copies of the report of the committee and the views of the minority and the evidence taken, together with appendixes, in the investigation made pursuant to public resolution No. 9, approved January 19, 1910, authorizing an investigation of the Department of the Interior and its several bureaus, officers, and employees, and of the Bureau of Forestry, in the Department of Agriculture, and its officers and employees, 1,000 for the use of the Senate and 2,000 for the use of the House of Representatives, and that there be printed in one volume 30,000 additional copies of the report of the committee and the views of the minority, 10,000 for the use of the Senate and 20,000 for the use of the House of Representatives—

to the Committee on Printing.

CORRECTION.

Mr. HUGHES of New Jersey. Mr. Speaker, I ask unanimous consent that the Journal and RECORD of yesterday may be corrected.

The SPEAKER. In what respect does the gentleman desire them corrected?

Mr. HUGHES of New Jersey. I am carried in the RECORD on a roll call on the absence of a quorum as being absent. I was present during the call and answered to my name.

Mr. EDWARDS of Georgia. Mr. Speaker, I desire to submit the same request.

The SPEAKER. The Journal and RECORD will be corrected.

CIVIL GOVERNMENT FOR PORTO RICO.

The SPEAKER laid before the House the following message from the President, which was read and referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

As required by section 31 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith the volume containing the laws enacted by the legislative assembly of Porto Rico during the special session beginning August 30 and ending September 3, 1910.

THE WHITE HOUSE, December 13, 1910.

WM. H. TAFT.

DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that the remainder of this legislative day may be set apart for the consideration of District business. I desire to say there are a few Senate bills I would like to call up.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the remainder of this day may be set aside for the consideration of business in order on District day.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask what bills the gentleman desires to call up.

Mr. SMITH of Michigan. There are some Senate bills I desire to call up, and I can perhaps tell the gentleman the bills I will not call up to which there may be objection.

Mr. MANN. The gentleman could not pass very many, and if we know what is in the gentleman's mind as to which he is going to endeavor to have passed, I think it would be a very easy matter for the gentleman to say what they are.

Mr. SMITH of Michigan. I can tell very quickly, sir, the bills that I would like to call up. There is the bill H. R. 20375, which relates to changes in highway plans; the bill H. R. 22602, which relates to the pay of crossing policemen; the bill H. R. 22688, referring to the extension of Thirteenth Street; the bill S. 6910, relating to the Reno Road extension; the bill S. 6743, relating to the designation of land for assessment; and the bill H. R. 21331, for the widening of Park Road.

Mr. MANN. The gentleman does not need to read any more, because, of course, they never will get that many bills up.

Mr. SMITH of Michigan. I apprehend I can get these bills disposed of in an hour if the House will give us an opportunity.

Mr. MANN. The second bill the gentleman named will take more than an hour to pass.

Mr. SMITH of Michigan. Which one does the gentleman refer to?

Mr. MANN. The bill increasing the pay of certain policemen.

Mr. SMITH of Michigan. I will leave that out, then.

Mr. MANN. Or any other bill that increases the pay of any District officials.

Mr. SMITH of Michigan. I will say this, that the committee is so anxious to dispose of the bills on the calendar that, if when I call these bills up any Member objects, I will lay the bills aside. That is as fair as it can be.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District business.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of bills on the District Calendar, with Mr. TILSON in the chair.

CHANGES IN SYSTEM OF HIGHWAYS.

Mr. SMITH of Michigan. Mr. Chairman, I desire to call up the bill (H. R. 20375) to authorize certain changes in the permanent system of highways, District of Columbia.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized to prepare a new highway plan for that triangular portion of the District of Columbia bounded on the north-westerly part by Western Avenue, on the southerly part by Rittenhouse Street, and on the easterly part by Thirty-third Street, and to include in said new highway plan a new plan of Broad Branch Road from Rittenhouse Street to Western Avenue, under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to said act approved June 28, 1898; that upon the completion and recording of said new highway plan it shall take the place of and stand for any previous plan for said portion of the District of Columbia; and that the portion of the highway thereby abandoned, if any, shall revert to the abutting owners.

Also the following committee amendments were read:

Strike out of page 1 all of line 5 after the word "Columbia"; all of lines 6, 7, 8, 9, and up to the word "under," in line 10, and insert in lieu thereof the words "lying north of Rittenhouse Street, west of Thirty-third Street, and southeast of the District line."

Strike out of page 2 all of line 4 after the word "Columbia" and lines 5 and 6.

Mr. SMITH of Michigan. Mr. Chairman, the report is very short, but as it explains all there is to the bill, I will ask the Clerk to read it.

The CHAIRMAN. Without objection, the Clerk will read the report.

There was no objection.

The Clerk read as follows:

The Committee on the District of Columbia, to whom was referred the bill (H. R. 20375) to authorize certain changes in the permanent system of highways, District of Columbia, report the same back to the House with the recommendation that it do pass, when amended as follows:

Strike out of page 1 all of line 5 after the word "Columbia"; all of lines 6, 7, 8, 9, and up to the word "under," in line 10, and insert in lieu thereof the words "lying north of Rittenhouse Street, west of Thirty-third Street, and southeast of the District line."

Strike out of page 2 all of line 4 after the word "Columbia" and lines 5 and 6.

These amendments were made to the bill in accordance with the recommendations of the Commissioners of the District of Columbia in their letter of approval, which is as follows:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,

Washington, March 2, 1910.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on H. R. 20375 (61st Cong., 2d sess.), to authorize certain changes in the permanent system of highways, Dis-

trict of Columbia, which you referred to them for examination and report.

It is proposed by the bill to authorize a change in the highway plan for that portion of the District of Columbia bounded by Western Avenue, Rittenhouse Street, and Thirty-third Street NW., and to include therein a new line for Broad Branch Road from Rittenhouse Street to Western Avenue.

A blueprint is inclosed showing the territory affected.

The changes contemplated are as follows:

The highway plans propose a straight extension of a highway known as Broad Branch Road, which now follows closely the lines of the old county road, also known as Broad Branch Road, as far as Rittenhouse Street. Beyond this point the old road makes a deflection to the left, as indicated by the area crosslined.

To extend the proposed highway according to the present plans would be to bring the intersection at the District line some distance from the present road, which would cause considerable inconvenience to the section lying in Maryland, as this road is substantially built and property has been sold and houses erected along its boundaries.

The change proposed by the inclosed bill is to deflect the proposed highway from its intersection with Rittenhouse Street to conform practically with the present constructed road. This will affect about 900 feet of the proposed highway, and being so near the District line a change in direction, it is thought, will not be in the least objectionable and will obviate the necessity of abandoning the old road and building a complete new highway, which would also seriously affect the properties in Maryland adjacent to this point.

The commissioners are in favor of the proposed change, but recommend the bill be amended as follows:

Lines 5 to 10, inclusive, page 1 of the bill, strike out the words "bounded on the northwesterly part by Western Avenue, on the southerly part by Rittenhouse Street, and on the easterly part by Thirty-third Street, and to include in said new highway plan a new plan of Broad Branch Road from Rittenhouse Street to Western Avenue" and insert in lieu thereof "lying north of Rittenhouse Street, west of Thirty-third Street, and southeast of the District line."

Lines 4 to 6, inclusive, page 2, strike out the following, "and that the portion of the highway thereby abandoned, if any, shall revert to the abutting owners."

Very respectfully,

BOARD OF COMMISSIONERS DISTRICT OF COLUMBIA,
By CUNO H. RUDOLPH, President.

Hon. S. W. SMITH,
Chairman Committee on the District of Columbia,
House of Representatives, Washington, D. C.

Mr. SMITH of Michigan. Mr. Chairman, I do not know that in addition to the report anything I can add will be of interest, except as to the last two lines of the bill. I desire to say to the committee that there are only small strips of land that can hardly be surveyed and little strips here and there by the side of the road that are possibly a foot or two wide and sometimes 2 feet long.

Mr. MANN. I understand that this bill is in conformity with the wishes of the people of that locality?

Mr. SMITH of Michigan. It is. There is not the slightest objection to it.

The CHAIRMAN. The question is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I move that the bill be laid aside with the favorable recommendations.

The motion was agreed to.

EXTENSION OF THIRTEENTH STREET.

Mr. SMITH of Michigan. Mr. Chairman, I desire to call up the bill (H. R. 22688) for the opening of Thirteenth Street NW., from Longfellow Street to Fourteenth Street (or Piney Branch) Road.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within six months after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute a proceeding in rem to condemn the land that may be necessary for the opening of Thirteenth Street NW. from Longfellow Street to Fourteenth Street (or Piney Branch) Road, and to grade and improve the same according to the permanent highway plan of the District of Columbia.

SEC. 2. That there is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any moneys in the Treasury not otherwise appropriated, an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages, the amounts assessed for benefits to be paid to the District of Columbia and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts.

Also the following committee amendments were read:

Insert in line 7, page 1, after the word "institute," the words "in the supreme court of the District of Columbia."

Strike out of line 10, page 1, the word "Longfellow" and insert in lieu thereof the words "its terminus north of Madison."

Strike out of line 10, page 1, the words "Fourteenth Street or," and the two parenthesis signs.

Mr. SMITH of Michigan. I ask for a vote, Mr. Chairman.

Mr. MANN. Mr. Chairman, I notice that the amendment reported by the committee provides for a roadway or street 110 feet in width.

Mr. SMITH of Michigan. That is the width of Thirteenth Street. That is in conformity with the plans of the street.

Mr. MANN. What object is there in having a street 110 feet wide?

Mr. SMITH of Michigan. It has been laid out for some time. A good portion of the street is open, and this is for connecting the two ends, from Madison street up, and that is the width of the balance of the street. This is in conformity with the plans.

The CHAIRMAN. The question is on agreeing to the committee amendments.

The question was taken, and the committee amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

The title was amended to read as follows:

A bill to authorize the extension of Thirteenth Street NW. from its present terminus north of Madison Street to Piney Branch Road.

EXTENSION OF RENO ROAD, DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Chairman, I call up the bill (S. 6910) to provide for the extension of Reno Road, in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within six months after the passage of this act, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the extension of Reno Road, as laid down on the permanent system of highway plans, from Fessenden Street to Chesapeake Street, with a width of 100 feet.

SEC. 2. That the entire amount found to be due and awarded by the jury in said proceeding as damages for and in respect of the land to be condemned for said extension, plus the costs and expenses of said proceeding, shall be assessed by the jury as benefits: *Provided,* That nothing in said subchapter 1 of chapter 15 of said code shall be construed to authorize the jury to assess less than the aggregate amount of the damages awarded for and in respect of the land to be condemned and the costs and expenses of the proceeding hereunder.

SEC. 3. That there is hereby appropriated from the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia.

Mr. SMITH of Michigan. Mr. Chairman, I do not know of any objection to this bill from any source. Therefore, I ask for a vote.

The bill was ordered to be laid aside with a favorable recommendation.

WIDENING PARK ROAD, DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Chairman, I call up the bill (H. R. 21331) for the purchase of land for widening Park Road, in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to purchase, for widening Park Road, the triangular lot designated as "Lot A," in Chapin Brown's subdivision of parts of Mount Pleasant and Pleasant Plains, called "Ingleside," as recorded in liber County No. 8, folio 37, of the records of the office of the surveyor of the District of Columbia, at a price deemed by them to be reasonable, not exceeding the sum of \$3,600.

SEC. 2. That the sum of \$3,600, or so much thereof as may be necessary, is hereby appropriated for the purchase of said lot, payable one-half from the revenues of the District of Columbia and the other half out of any moneys in the United States Treasury not otherwise appropriated.

Mr. SMITH of Michigan. I ask for a vote.

The bill was laid aside with a favorable recommendation.

WIDENING SIXTEENTH STREET NW., DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Chairman, I call up the bill (S. 4626) for the widening of Sixteenth Street NW. at Piney Branch, and for other purposes:

The bill was read, as follows:

Be it enacted, etc., That under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within six months after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the widening of Sixteenth Street where it crosses Piney Branch, on the east side, between Shepherd Street and Spring Road, so as to preserve the valley grade and connect with Piney Branch Parkway, in accordance with plans on file in the office of the Engineer Commissioner of the District of Columbia, the area of the land to be acquired not to exceed 4½ acres.

SEC. 2. That there is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated, an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages; the amounts collected as benefits to be repaid to the District of Columbia and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts.

SEC. 3. That the Commissioners of the District of Columbia be, and they are hereby, authorized to make a new highway plan for that portion of the District of Columbia in the vicinity of said widening and

along the Piney Branch Parkway under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to said act approved June 28, 1898; that upon the completion and recording of said new highway plan it shall take the place of and stand for any previous plan for said portion of the District of Columbia.

Mr. MANN. Mr. Chairman, I would like to ask what the policy of the committee is in reference to these appropriations covering the cost. I notice in the bill we passed a moment ago—another Senate bill—it provided that the cost of the suits should be paid in the first instance out of the revenues of the District of Columbia. This provides that it shall be paid one-half out of the revenues of the District and one-half out of money in the Treasury, and be repaid to the District of Columbia and be covered into the Treasury, one-half and one-half. What is the difference in these cases, and what is the rule laid down by the committee?

Mr. SMITH of Michigan. In this case it is a public park. This is land lying east of Sixteenth Street Bridge. The bridge has been completed at an expense of \$160,000, of which \$100,000 is said to be for esthetic purposes. The purchase of this $4\frac{1}{2}$ acres at the east side of the bridge is to make it in conformity with some land purchased on the west side of the bridge, so that there can be some additional land on each side of the bridge, and so that houses can not be built there, disfiguring the situation. This is a case where the District and the Government join in the appropriation, whereas in the other bills passed they are entirely at the expense of the District.

Mr. MANN. This is to widen Sixteenth Street. How wide is Sixteenth Street at that point?

Mr. SMITH of Michigan. At this point it is under the bridge. For the moment I am not able to state the width of the bridge. The Government owns no land outside of the limits of the street upon the east side. If this money is appropriated to buy this $4\frac{1}{2}$ acres, under the plan they purpose to have also a road around the $4\frac{1}{2}$ acres; and it will also make an entrance from Fourteenth Street down to Sixteenth Street to go under the bridge into Rock Creek Park. None of this $4\frac{1}{2}$ acres is owned by the Government.

Mr. MANN. Then it is not really a street opening?

Mr. SMITH of Michigan. Oh, no; not strictly.

Mr. MANN. But it comes with the provision for condemnation for the widening of a street?

Mr. SMITH of Michigan. Yes.

Mr. MANN. Who is it assumed that it would benefit that could be assessed?

Mr. SMITH of Michigan. The general public.

Mr. MANN. You can not make an assessment for the general public and against private property when the general public only is benefited.

Mr. SMITH of Michigan. The general public will be benefited and assessed for the benefit of getting into Rock Creek Park. While a certain section will be benefited, the land on each side of this purchase will be benefited, as much as will the Government in the addition of the \$160,000 bridge of which the commissioner says \$100,000 is for esthetic purposes.

Mr. MANN. Then Congress was misled in having it constructed.

Mr. SMITH of Michigan. That of course this committee has had nothing to do with.

Mr. MANN. The gentleman does not state to us that there was any intention on the part of Congress to spend \$60,000 for utilitarian purposes and \$100,000 for esthetic purposes on this bridge.

Mr. SMITH of Michigan. I have tried to be entirely frank with the gentleman in giving the statement as to the matter.

Mr. MANN. If I did not think the gentleman would be entirely frank with the committee in telling about this matter, I would not make inquiry. He is always frank with the committee.

Mr. SMITH of Michigan. Under the circumstances, in view of the amount of money that has been expended already, I think it would be a mistake not to purchase this $4\frac{1}{2}$ acres of land.

Mr. STAFFORD. Is this Sixteenth Street Bridge that the gentleman refers to the so-called Connecticut Avenue Bridge?

Mr. SMITH of Michigan. No; this is a bridge but recently completed.

Mr. MANN. Away out?

Mr. SMITH of Michigan. Away out.

Mr. STAFFORD. Has this proposed purchase of land ever been considered by Congress in a separate bill?

Mr. SMITH of Michigan. Yes.

Mr. STAFFORD. The purchase of the land has been heretofore considered in some other bill?

Mr. SMITH of Michigan. Propositions similar to this have been considered.

Mr. STAFFORD. Has this identical proposition been up before Congress before?

Mr. SMITH of Michigan. Yes.

Mr. STAFFORD. In what session?

Mr. SMITH of Michigan. The last session.

Mr. STAFFORD. Has the House ever acted on the proposition?

Mr. SMITH of Michigan. No; the House never took any action upon it.

Mr. STAFFORD. What is the estimated value of the land proposed to be condemned?

Mr. SMITH of Michigan. Four and one-half acres, and the estimate of the commissioners is that it will cost about \$15,000.

If there are no further questions, I ask for a vote.

Mr. FOSTER of Illinois. I do not want to ask any questions. I want the floor in my own right.

Mr. SMITH of Michigan. Very well.

Mr. FOSTER of Illinois. Mr. Chairman, this bill proposes to buy a little strip of ground of $4\frac{1}{2}$ acres on the east side of Sixteenth Street Bridge, as I understand it. Some time ago—I do not know how long ago—the Government bought the bottom of Piney Branch, which connects Sixteenth Street with Rock Creek Park, paying, as I have understood, about \$80,000 for the bottom of this creek. I am not sure as to the amount. Now, when they built the Sixteenth Street Bridge it was built away out where there are no settlements at all. There are no houses near this bridge that you can see anywhere. That was the case a few months ago. They then found that it was impossible to get down from the embankment of Sixteenth Street to this little piece of ground that the Government bought for \$80,000.

It was a very nice scheme for some one to sell to the Government the old Piney Branch Creek bottom and have the Government improve it by a beautiful winding road through there that would improve all the property upon each side, and then come back to the Government and ask it to purchase $4\frac{1}{2}$ acres of ground, which it is estimated will cost when the road is completed more than \$30,000, not only for the purpose of getting down into this bottom of Piney Branch, but for the purpose of improving the property through which this beautiful road is to be made on the east side of the Piney Branch or Sixteenth Street Bridge. I do not know who proposes to benefit by this, and I do not care.

Mr. SMITH of Michigan. May I ask the gentleman a question?

Mr. FOSTER of Illinois. Yes.

Mr. SMITH of Michigan. I heard the gentleman state that the cost would be \$30,000. The gentleman means that perhaps the improvements that the Government may put upon the land will bring the cost up to that amount?

Mr. FOSTER of Illinois. Yes; that is what I mean.

Mr. SMITH of Michigan. I do not think anyone can tell that, for there have been no plans made for it.

Mr. FOSTER of Illinois. My information is from an engineer who has done some work out in that vicinity.

Mr. MANN. There will be nothing expended unless we appropriate it.

Mr. FOSTER of Illinois. No; but his estimate was that it would cost \$30,000.

Mr. SMITH of Michigan. I do not know how anyone can make an estimate when there have been no plans prepared.

Mr. FOSTER of Illinois. His idea was to make a winding road that would come around under this bridge, and that to buy this land and make this road would cost the Government \$30,000. Now, it seems to me that this Congress ought to stop improving real estate for the benefit of men who are speculators in real estate. I am not blaming the chairman of this committee, or any member of it, but from my investigation of this property—and I went out there and looked at it last summer—I became convinced that the Government had been mulcted to the tune of a good many thousand dollars in the improvement of this particular property for the benefit of some real-estate men. I believe it ought to stop now, and that if these people want a little strip of ground improved down in the bottom of some creek they ought to be willing to give the ground to the Government for the purpose of improving it, without selling it for a vast sum of money, to the benefit of their property on each side. That is a very nice thing for the men who happen to own the real estate in that particular neighborhood.

Mr. STAFFORD. I understood from the gentleman's remarks that he was acquainted with this particular parcel of land.

Mr. FOSTER of Illinois. I saw it at one time and have looked it over.

Mr. STAFFORD. Is the gentleman acquainted with the value of property in that neighborhood?

Mr. FOSTER of Illinois. No, sir; I am not.

Mr. STAFFORD. I understood the chairman of the committee to say that it was estimated that it would cost \$4,000 an acre.

Mr. SMITH of Michigan. I said that the 4½ acres would cost \$15,000. It is a bowl-shaped piece of ground along the east side of the bridge.

Mr. CAMPBELL. Mr. Chairman, we had a similar experience in regard to the purchase of land near the Connecticut Avenue Bridge. That was a piece of land near the end of that magnificent structure, and looked to those of us who went out there as if it was not worth anything, and we refused to take the matter of authorizing an appropriation or condemning the land into consideration at all. Since the committee refused to take action in regard to that piece of land, and it was somewhere in the neighborhood of 40 feet below the level of the street, some enterprising real-estate man purchased the ground and has put up a large and magnificent apartment house, which absolutely obstructs the view of the Connecticut Avenue Bridge that has cost the Government and the District a million and a half dollars.

Mr. STAFFORD. Does the gentleman advocate the Government's condemning the apartment house?

Mr. CAMPBELL. Not at all; but the District and the Government refused to take that land just as it is proposed to refuse to take this.

Mr. MANN. Where is this apartment house?

Mr. CAMPBELL. It is right on the very approach of the Connecticut Avenue Bridge.

Mr. MANN. I walk over the Connecticut Avenue Bridge every week and I never saw it. Does the gentleman refer to the large new apartment house on this side?

Mr. CAMPBELL. It is at the south end of the bridge. I think it is the Dresden apartment house.

Mr. MANN. In what respect is that a damage to the bridge or the approach to the bridge?

Mr. CAMPBELL. It obstructs the view of anyone who is approaching the bridge.

Mr. FITZGERALD. I have ridden over that bridge many times and I have not noticed any obstruction of the view.

Mr. MANN. The bridge does not run straight. The mistake that was made was in not putting it on a straight street, but running it off on a curve.

Mr. CAMPBELL. The apartment house obstructs the view of the bridge as you approach it, is the point I make.

Mr. MANN. But there is a hill there, and a man can not see it from this side, that is sure. I live out there myself.

Mr. CAMPBELL. I walked down there Sunday, and I did not know I was approaching the bridge until I had got upon it. Now, I fear that the District will find itself in the same condition in regard to the property mentioned in this bill that it finds itself in regard to the property near the Connecticut Avenue Bridge.

Mr. MANN. This apartment house is one of the handsomest apartment houses in the city, and is handsomer as an apartment house and more of an ornament to the city than is the bridge as a bridge, and much more useful.

Mr. CAMPBELL. But this or any other apartment house ought not to have been built at that point.

Mr. MANN. The apartment house does not interfere with the bridge in the slightest degree.

Mr. CAMPBELL. Well, the gentleman from Illinois has good taste about some things, but his taste about that matter is faulty.

Mr. MANN. I do not ask the gentleman from Kansas to pass upon the taste of the gentleman from Illinois; the gentleman from Kansas will have to go to school first.

Mr. CAMPBELL. I am aware that we are admonished not to question another man's taste, and I shall not question the taste of the gentleman from Illinois in this particular, but I would not ornament a monumental bridge with apartment houses.

Mr. FOSTER of Illinois. Mr. Chairman, I object to this bill.

Mr. SMITH of Michigan. I hope the gentleman will withhold his objection.

Mr. FOSTER of Illinois. I will withhold it.

Mr. SMITH of Michigan. I have no interest in this except that I think the Government in a short time will have to pay more money for the land than they can now get it for. The gentleman is mistaken if he thinks this is a real-estate scheme. The land beyond this has been platted already.

Mr. FOSTER of Illinois. I am perfectly willing for the chairman of the committee to have all the time he wants, but at the conclusion I shall object to it.

Mr. SMITH of Michigan. Very well, then, Mr. Chairman, I will withdraw the bill under the statement that I made. I

would like to make a suggestion, and that is, that gentlemen object to the bills when they are called up and not after they have been considered some time. If they will make their objection known early, we will make a saving in time.

I would like to know if there is any objection to the taking up of the bill relating to the pay of crossing policemen.

Mr. MANN. Let us have the bill.

The CHAIRMAN. The Clerk will report the bill.

Mr. SMITH of Michigan. No; I do not want to have the bill reported. I would ask the gentleman from Illinois [Mr. MANN] if he will object to that bill for the pay of crossing policemen.

Mr. FITZGERALD. Yes.

Mr. MANN. I object to any bills raising salaries at this time.

Mr. SMITH of Michigan. These salaries were to be paid for by the railroad companies, so I thought perhaps the gentleman would not object.

Mr. MANN. The mere fact that somebody else is to pay the salaries does not appeal to me as much as it does to the gentleman.

Mr. SMITH of Michigan. The bill is on the calendar, and it is immaterial to me who pays the salaries, except I desired to say that the Government does not pay in this case. Then, Mr. Chairman, I move that the committee do now rise and report the bills, with amendments and without amendments, with a recommendation that the amendments be agreed to and that the bills, with and without amendment, do pass.

Mr. MANN. The gentleman has a lot of street-opening bills?

Mr. SMITH of Michigan. I am going to call the House Calendar next.

The CHAIRMAN. The question is on the motion of the gentleman from Michigan that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration sundry bills concerning the District of Columbia, and had directed him to report the same back to the House, some with amendment and some without amendment, with the recommendation that the amendments be agreed to and that the bills as amended do pass.

The SPEAKER. The Clerk will report the bills.

The Clerk reported the following House bills, some with amendment and some without amendment. The amendments were agreed to; and the bills were severally ordered to be engrossed and read a third time, were read the third time, and passed:

A bill (H. R. 20375) to authorize certain changes in the permanent system of highways, District of Columbia.

A bill (H. R. 22688) for the opening of Thirteenth Street NW. from Longfellow Street to Fourteenth Street (or Piney Branch) Road.

A bill (H. R. 21331) for the purchase of land for widening Park Road, in the District of Columbia.

The Clerk reported the following Senate bill, which was ordered to be read a third time, was read the third time, and passed:

S. 6910. An act to provide for the extension of Reno Road, in the District of Columbia.

WASHINGTON SANITARY HOUSING CO.

Mr. SMITH of Michigan. Mr. Speaker, I call up the bill (S. 5651) to amend an act entitled "An act to incorporate the Washington Sanitary Housing Co.," approved April 23, 1904, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 2 of an act entitled "An act to incorporate the Washington Sanitary Housing Co.," approved April 23, 1904, be amended by striking out the words "4 per cent" in the proviso and substituting the words "5 per cent."

The SPEAKER. Is there objection to the consideration of the bill?

Mr. FITZGERALD. Mr. Speaker, let us have some explanation of it. I will reserve the right to object.

Mr. SMITH of Michigan. Mr. Speaker, I yield to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, the Washington Sanitary Housing Co. is a corporation organized in the District of Columbia for the purpose of constructing houses for the poorer people of the District. Many of the prominent citizens of this city have taken stock in this company, and up to the present time they have been able to raise about \$70,000.

They have built something like 40 houses, accommodating about 80 families. Those houses are occupied principally by colored people, and the rents are very moderate. At 4 per cent the company has found that it did not raise the amount of

money it had anticipated would be raised in the philanthropic cause contemplated by the incorporators. I want to say to the gentleman that none of the officers of the company receive a cent of salary. It is believed that by allowing a 5 per cent rate of interest a considerably increased subscription for stock will result and the company will be thus enabled to do much for the better housing of the poor people of Washington.

Mr. MANN. If I may interrupt the gentleman, and I ask if I am not correct, I understand this: This company is engaged in building houses for the poor in the alleys, and so forth, where if it was not done by private interests we might be compelled to do it through governmental agencies.

Mr. KAHN. I do not doubt it.

Mr. MANN. And all they are asking now is that they may reimburse themselves out of their rents to the extent of 5 per cent interest instead of 4 per cent.

Mr. KAHN. Not only that, but—

Mr. MANN. That is all they are asking?

Mr. KAHN. That is all.

Mr. MANN. And it does not require any Government funds in any way?

Mr. KAHN. None whatever.

Mr. MANN. And no guaranty?

Mr. KAHN. None whatever.

Mr. COX of Indiana. May I ask the gentleman one question? On what is that 5 per cent based?

Mr. KAHN. On the stock issued by the company. Down to the present time about \$70,000 worth of stock has been issued, and the company feels that if the investment were made a little more attractive by allowing a little larger rate of interest that it would get a considerably increased number of subscriptions to its stock, and it would be better able then to carry on its philanthropic work.

Mr. COX of Indiana. If the rate of interest is increased, I suppose they can only recoup themselves by raising the rents.

Mr. KAHN. They probably will raise the rentals, yet the rentals are so low I dare say the 1 per cent additional would not make any material difference.

Mr. FITZGERALD. Does the gentleman think a corporation engaged in the real-estate business that earns 5 per cent on the capital invested is engaged in a purely philanthropic work?

Mr. KAHN. As a matter of fact there is nobody else that is willing to do this work—

Mr. FITZGERALD. That may be—

Mr. KAHN. If the gentleman will pardon me for a moment, I think he will find that as a rule the amount of money invested in the poor quarters of a large city will bring on the investment a considerably larger rate of interest than 5 per cent. I think if he will go to his own city, or if he will go to any other of the large cities of the country, he will find that the property which is occupied by the poor population pays in rental a very much larger percentage of interest than 5 per cent.

Mr. FITZGERALD. That may be true in San Francisco, but it is not true in New York.

Mr. KAHN. It is true all over the country.

Mr. COX of Indiana. Is there any requirement in the charter as to how much stock they can issue?

Mr. MANN. Half a million dollars.

Mr. KAHN. Five hundred thousand dollars.

Mr. NORRIS. Is there a limit in the charter as to the rate of interest?

Mr. KAHN. Yes.

Mr. NORRIS. That is limited to 4 per cent?

Mr. KAHN. Yes.

Mr. NORRIS. What is done with the surplus, if there is one?

Mr. KAHN. They invest it in other buildings.

The bill was ordered to be read a third time, was read the third time, and passed.

LICENSES OF DRIVERS OF PASSENGER VEHICLES FOR HIRE.

Mr. SMITH of Michigan. Mr. Speaker, I call up the bill H. R. 24071.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 24071) to amend the license law, approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire.

Be it enacted, etc., That paragraph 11 of section 7 of the act of Congress approved July 1, 1902, entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," providing for license taxes in the District of Columbia, be, and the same is hereby, amended by adding thereto the following:

"That any and all persons employed or engaged in driving a horse or horses, or other animal or animals, attached to coaches, omnibuses, carriages, wagons, or other passenger vehicles for hire, and all persons engaged as chauffeurs or conductors of motor vehicles for hire shall pay an annual license tax of \$1: *Provided*, That such license shall not in any case be issued except upon application therefor to the assessor by the person desiring the license, and under such general regulations as

the Commissioners of the District of Columbia may prescribe, after report, made by some member of the Metropolitan police designated to inspect public vehicles, to the major and superintendent of police; and it shall be the duty of the major and superintendent of police to forward said report to the assessor of the District of Columbia. And there shall be kept in the department of police a list of names of all persons licensed under this amendment, their annual license number, and any record that may be necessary concerning the conduct of such persons that may be required in connection with good public vehicle service. And all public vehicles for hire shall carry, in such place as may be designated by the commissioners, such form of number as may be prescribed by the commissioners, which number shall correspond with the number of the license issued to the driver, chauffeur, or conductor of such public vehicle: *Provided*, That licenses issued under the provisions hereof shall not be assigned or transferred, and every assignment or transfer of any such license shall be illegal, null, and void.

"Any person who shall violate any of the provisions of this amendment shall be punished as provided in paragraph 47 of said section 7. And in addition to such penalty, the license of any person licensed under the provisions of this amendment who shall be convicted of a violation of any of its provisions, or of a violation of any of the police regulations regulating the movement and disposition of public vehicles for hire upon the public streets, or of disorderly conduct, may be revoked by the Commissioners of the District of Columbia."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object—

The SPEAKER. Does the gentleman object?

Mr. MANN. I reserve the right to object.

Mr. SMITH of Michigan. Mr. Speaker, I yield to the gentleman from California [Mr. KAHN].

Mr. KAHN. I am ready to answer any question.

Mr. SMITH of Michigan. I yielded to him to answer the question or make any statement which he might desire to make.

Mr. MANN. As I understand it, it proposes only to license the drivers of vehicles, the provision for licensing of the owners of vehicles having already been enacted. There seems to be no penalty provided for a man who drives a vehicle without a license. What incentive is there for a man to take out a license if he can drive without a license? This is one of the bills drafted, I suppose, by the corporation counsel's office?

Mr. KAHN. Yes.

Mr. MANN. It is not in good form, to begin with, and does not carry out the purpose in the end. Probably it could do no possible harm; probably will do no possible good.

Mr. KAHN. It seems that a good many complaints have been lodged with the police officials to the effect that drivers of vehicles in the District of Columbia were entirely irresponsible, and took passengers in a roundabout way to reach a certain location, in order to charge a greater rate for the service. As I understand it, the purpose of this bill is to license every driver of a vehicle and every chauffeur in the District of Columbia, so that by taking the number of his badge the driver himself can be reached.

Mr. MANN. Very well. The bill says that the driver shall take out a license, and then it says that anyone who violates a provision in this amendment—which is bad form—shall be punished, and there is no provision for punishing the man who refuses to take out a license; I mean who drives a vehicle without taking out a license.

Mr. MADDEN. Mr. Speaker, I object to the consideration of the bill.

Mr. MANN. I would like to ask another question. Whose spelling of chauffeur is adopted in this bill? Is that the reformed spelling?

Mr. KAHN. I would not be surprised if it is the reformed spelling.

Mr. MANN. If it is going to be cut down at all, why do we not make it plain and spell it s-h-o-f-e-r?

I have called attention to the form of the bill, mainly for the benefit of the corporation counsel. If my clerk did not know a better form for drawing bills than he does, I would discharge the clerk.

Mr. MADDEN. Mr. Speaker, I object to the consideration of the bill.

LIGHTING OF VEHICLES.

Mr. SMITH of Michigan. Mr. Speaker, I call up the bill (H. R. 24459) to provide for lighting vehicles in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and directed to promulgate from time to time, and amend the same, police regulations requiring all automobiles, horseless or motor vehicles, bicycles, or horse-drawn vehicles to carry such light or lights on the front, sides, or rear thereof, between darkness and daylight, as they may deem expedient, and to provide penalties for the violation of such regulations.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

PRICE OF GAS.

Mr. SMITH of Michigan. Mr. Speaker, I desire to call up the bill (H. R. 19049) to fix the price of gas in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That on and after May 1, 1910, no person, firm, copartnership, association, or corporation engaged in the manufacture and sale of fuel or illuminating gas in the District of Columbia shall sell or otherwise dispose of the same to any person, firm, copartnership, association, or corporation in the District of Columbia for a price exceeding 80 cents per thousand cubic feet.

Also the following committee amendment was read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That on and after January 1, 1911, it shall be unlawful for any person, firm, or corporation, vending gas for illuminating or heating purposes in the District of Columbia, to charge therefor a greater price than 80 cents per thousand feet: *Provided, however,* That if a consumer of gas fails or refuses to pay his bill for gas consumed on or before the 10th day of the month next succeeding the month within which the gas was consumed, it shall be lawful for the vender of the gas to charge, collect, and receive an additional amount equal to 10 per cent of the bill as a penalty.

"Sec. 2. That said gas companies shall not refuse to supply gas for any building or premises to any person applying therefor who is not in arrears to it for any gas previously supplied to him, because a bill for gas remains unpaid by a previous occupant of such building or premises.

"Sec. 3. That if either of said companies holds, for a longer period than six months, money which is collected in advance from its consumers to guarantee it against losses of charges or tolls, it shall pay annually from such guaranty fund interest at the rate of 6 per cent per annum to the depositor thereof, which interest may be applied to the payment of charges and tolls by said depositor, at his request, upon any monthly bill. Said companies shall make an annual return or statement of all moneys and of the value of any collateral so held as a guaranty of the payment of charges and tolls, specifying the amounts so deposited by the inhabitants of the District of Columbia.

"Sec. 4. That all acts and parts of acts in conflict herewith are hereby repealed."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of the bill in reference to one matter. The ordinary practice is to make a reduction of 10 cents a thousand or more where gas bills are paid promptly, and that is contemplated by this bill. The ordinary practice is to take the rate that is permitted and make a reduction from that rate. This bill fixes the rate at 80 cents a thousand and then proposes to authorize the gas company to add on 10 per cent as a penalty. What authority is there for us to enact legislation authorizing one man to assess penalty against another and collect it?

Mr. FITZGERALD. Oh, that does not worry us.

Mr. MANN. No; but it may worry the gentleman from Wisconsin [Mr. CARY] to furnish us the information.

Mr. CARY. I will say that was an amendment offered by another gentleman of the committee. My bill was originally 80 cents. In order to get the bill before the House, I was satisfied to let it go that way.

Mr. MANN. I am inclined to think, and I have seen some gas legislation here that was ineffective, although I do not think it was the design of the committee of this House to make it ineffective, that this bill is not worth the paper it is written on, and for that reason, for the present, I object.

PROHIBITING ISSUING OF BONDS, ETC., BY GASLIGHT COMPANIES.

Mr. SMITH of Michigan. Mr. Speaker, I call up House joint resolution 148.

The Clerk read as follows:

Joint resolution (H. J. Res. 148) prohibiting the Washington Gas Light Co., Georgetown Gas Light Co., or any other gaslight company in the District of Columbia from issuing any bonds, certificates of indebtedness, or any other evidence of debt, except such as shall actually be required for the payment of necessary betterments and improvements only, without the express consent of Congress.

Resolved, etc., That the Washington Gas Light Co. and the Georgetown Gas Light Co., or any other gaslight company in the District of Columbia, each and all, are hereby prohibited from issuing any bonds, certificates of indebtedness, or any other evidence of debt, except such an evidence of debt as shall actually be required for the payment of necessary betterments and improvements only, without the express consent of Congress.

The amendments recommended by the committee were read, as follows:

Insert in line 6, page 1, after the word "any," the word "stocks," followed by a comma.

Strike out of lines 7, 8, and 9, page 1, the words "except such an evidence of debt as shall actually be required for the payment of necessary betterments and improvements only."

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether under this bill it would be possible for the gas company to borrow any money whatever,

under any circumstances, without having the express consent of Congress; which might mean anything spent for current indebtedness or current expenses.

Mr. SMITH of Michigan. If I remember correctly, in the hearings it was claimed by their attorney that they would not.

Mr. MANN. Well, if a gas company should enter into a contract for the purchase of supplies, it could not give any evidence of indebtedness for that or for any other purpose under this bill.

Mr. SMITH of Michigan. That may be so.

Mr. MANN. Well, what possesses the committee to report a bill like that to the House, with any expectation of passing it by unanimous consent?

Mr. SMITH of Michigan. We did not know that we would have to ask unanimous consent to pass it.

Mr. MANN. Let us have an explanation why you want it passed at all. I take it the committee wants the Government to properly guard the issuance of stocks and bonds by the gas companies or any other public utility companies in the District of Columbia, which is a matter that may be properly regulated by Congress. But what excuse is there for saying that a gas company shall give no kind of paper or contract or anything that is an evidence of indebtedness?

Mr. SMITH of Michigan. I desire to say, from what I understand, it makes but little difference about the passage of this legislation, that the gas company would be able to collect dividends upon the value of the property. The gentleman who has charge of this bill was anxious to have it brought to the consideration of the House and passed, but he is not here to-day.

Mr. MADDEN. Who is the gentleman?

Mr. SMITH of Michigan. The gentleman from Missouri [Mr. COUDREY].

Mr. MANN. I noticed the gentleman who introduced the bill provided—

or any other evidence of debt except such an evidence of debt as shall actually be required for the payment of necessary betterments and improvements only.

But that has been stricken out by the committee. Now, under this bill the gas company could not write a letter acknowledging that it owed something.

Mr. SMITH of Michigan. It is a very stringent bill, I admit.

Mr. MANN. The gentleman calls it stringent. I would apply another name; and for the present I object.

Mr. SMITH of Michigan. That is all the bills we have that we can call up, Mr. Speaker. I move to reconsider the several votes by which the various bills have been passed and to lay that motion on the table.

The latter motion was agreed to.

Mr. SMITH of Michigan. I move that the House do now adjourn.

The SPEAKER. Pending that, the Chair lays before the House the following requests.

LEAVE OF ABSENCE.

Mr. BUTLER, by unanimous consent, obtained leave of absence, indefinitely, on account of sickness.

REPRINT OF BILL.

By unanimous consent, reprint of bill (H. R. 17759) to promote the efficiency of the Naval Militia, and for other purposes, was ordered.

ADJOURNMENT.

The SPEAKER. The gentleman from Michigan moves that the House do now adjourn.

The question was taken, and the motion was agreed to; and accordingly the House (at 4 o'clock and 29 minutes p. m.) adjourned until to-morrow, Wednesday, December 14, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of State submitting explanations in relation to estimates of appropriations for foreign intercourse (H. Doc. No. 1133); to the Committee on Foreign Affairs and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for increases of salaries of governors of Arizona and New Mexico (H. Doc. No. 1134); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Agriculture submitting an estimate of appropriation for deficiencies in the appropriations for expenses of the Forest Service and enforcement of the in-

secticide act (H. Doc. No. 1135); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting estimates of deficiencies for the service of the Treasury Department (H. Doc. No. 1136); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for purchase of land and buildings near Fort William H. Seward, Alaska (H. Doc. No. 1137); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of State submitting an estimate of appropriation for expenses of arbitration of outstanding pecuniary claims between the United States and Great Britain (H. Doc. No. 1138); to the Committee on Foreign Affairs and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of State submitting an estimate of appropriation for arbitration of the international title to the Chamizal tract (H. Doc. No. 1139); to the Committee on Foreign Affairs and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for an electric power plant on Corregidor Island, P. I. (H. Doc. No. 1140); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting list of judgments against collectors of internal revenue (H. Doc. No. 1141); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for the reimbursement of the Broadway Bargain House (H. Doc. No. 1142); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Attorney General submitting an estimate of appropriation for salaries, etc. (H. Doc. No. 1143); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the chief justice of the court of appeals, District of Columbia, submitting an estimate of appropriation for service of the court of appeals (H. Doc. No. 1144); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of War, recommending the abandonment of certain roads leading to the Mound City (Ill.) National Cemetery (H. Doc. No. 1145); to the Committee on Military Affairs and ordered to be printed.

14. A letter from the Secretary of the Treasury, recommending the sale of the old Federal building at Owensboro, Ky. (H. Doc. No. 1146); to the Committee on Public Buildings and Grounds and ordered to be printed.

15. A letter from the Secretary of the Treasury, recommending the transfer of the old post-office building at Charleston, S. C., from the Treasury Department to the Department of Commerce and Labor (H. Doc. No. 1147); to the Committee on Public Buildings and Grounds and ordered to be printed.

16. A letter from the Secretary of the Treasury, recommending the authorization of the construction of new vaults for the new building for the Bureau of Engraving and Printing (H. Doc. No. 1148); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for rental of temporary quarters for public offices at Columbus, Ohio (H. Doc. No. 1149); to the Committee on Appropriations and ordered to be printed.

18. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for rental of temporary quarters for public offices at Grand Rapids, Mich. (H. Doc. No. 1150); to the Committee on Appropriations and ordered to be printed.

19. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for an immigrant station at Baltimore, Md. (H. Doc. No. 1151); to the Committee on Appropriations and ordered to be printed.

20. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for site for a post office at Ellensburg, Wash. (H. Doc. No. 1152); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for post office at Logan, Ohio (H. Doc. No. 1153); to the Committee on Appropriations and ordered to be printed.

22. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for post office at Reading, Pa.

(H. Doc. No. 1154); to the Committee on Appropriations and ordered to be printed.

23. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for a public building at Huntington, W. Va. (H. Doc. No. 1155); to the Committee on Appropriations and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for post-office building at Honolulu, Hawaii (H. Doc. No. 1156); to the Committee on Appropriations and ordered to be printed.

25. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for site of public building at Kallispell, Mont. (H. Doc. No. 1157); to the Committee on Appropriations and ordered to be printed.

26. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for site of post office at Ennis, Tex. (H. Doc. No. 1158); to the Committee on Appropriations and ordered to be printed.

27. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for site of post office at Waterloo, N. Y. (H. Doc. No. 1159); to the Committee on Appropriations and ordered to be printed.

28. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for site of a public building at Duquoin, Ill. (H. Doc. No. 1160); to the Committee on Appropriations and ordered to be printed.

29. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for a public building at Reidsville, N. C. (H. Doc. No. 1161); to the Committee on Appropriations and ordered to be printed.

30. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for public building at Parkersburg, W. Va. (H. Doc. No. 1162); to the Committee on Appropriations and ordered to be printed.

31. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for post-office building at Oklahoma City, Okla. (H. Doc. No. 1163); to the Committee on Appropriations and ordered to be printed.

32. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for post office at Beatrice, Nebr. (H. Doc. No. 1164); to the Committee on Appropriations and ordered to be printed.

33. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for site and post-office building at La Junta, Colo. (H. Doc. No. 1165); to the Committee on Appropriations and ordered to be printed.

34. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for additional land for post office at Winston Salem, N. C. (H. Doc. No. 1166); to the Committee on Appropriations and ordered to be printed.

35. A letter from the Acting Secretary of the Treasury, transmitting a statement of appropriations and reimbursements as related to Indian tribal funds (H. Doc. No. 1167); to the Committee on Indian Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 28800) to amend an act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate Army and Navy who died in northern prisons and were buried near the prisons where they died, and for other purposes," approved March 9, 1906, reported the same without amendment, accompanied by a report (No. 1753), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25775) to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn., reported the same with amendment, accompanied by a report (No. 1752), which said bill and report were referred to the House Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. GILL of Missouri, from the Committee on Claims, to which was referred the bill of the House (H. R. 3021) for the

relief of L. H. Lyne & Co., late of Lynchburg, Va., reported the same adversely, accompanied by a report (No. 1754), which said bill and report were laid on the table.

Mr. LINDBERGH, from the Committee on Claims, to which was referred the bill of the House (H. R. 5783) for the relief of W. R. Harris, reported the same adversely, accompanied by a report (No. 1755), which said bill and report were laid on the table.

Mr. SHACKLEFORD, from the Committee on Claims, to which was referred the bill of the House (H. R. 21715) authorizing an indemnity to John W. Baldwin, reported the same adversely, accompanied by a report (No. 1756), which said bill and report were laid on the table.

Mr. KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 21909) to provide compensation for injuries received by George F. O'Hair, reported the same adversely, accompanied by a report (No. 1757), which said bill and report were laid on the table.

Mr. ADAIL, from the Committee on Claims, to which was referred the bill of the House (H. R. 23242) for the relief of W. J. Forth, reported the same adversely, accompanied by a report (No. 1758), which said bill and report were laid on the table.

Mr. GOLDFOGLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 28083) for the relief of the heirs of Charles Stewart, deceased, reported the same adversely, accompanied by a report (No. 1759), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 28939) for the relief of Joseph Heaton, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. NORRIS: A bill (H. R. 29158) to change the homestead and preemption laws in certain cases; to the Committee on the Public Lands.

By Mr. BARTLETT of Georgia: A bill (H. R. 29159) to increase the limit of cost for the acquisition of a site at Barnesville, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Michigan: A bill (H. R. 29160) to amend the act regulating the height of buildings in the District of Columbia, approved June 1, 1910; to the Committee on the District of Columbia.

Also, a bill (H. R. 29161) to authorize the extension of Colorado Avenue NW., between Fourteenth Street and Sixteenth Street, and Kennedy Street NW. through lot No. 800, square 2718; to the Committee on the District of Columbia.

By Mr. ESTOPINAL: A bill (H. R. 29162) extending provisions of the act of March 4, 1907, authorizing the establishment of an immigration station at New Orleans, La.; to the Committee on Immigration and Naturalization.

By Mr. MANN: A bill (H. R. 29163) to regulate commerce among the States and with foreign nations and to prevent the transportation of adulterated and misbranded seed and bulbs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: A bill (H. R. 29164) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes; to the Committee on the Public Lands.

By Mr. HANNA: A bill (H. R. 29165) providing for the amendment of the act of March 3, 1901, of the Revised Statutes; to the Committee on the Public Lands.

By Mr. CARLIN (by request): A bill (H. R. 29166) to extend the time within which the Baltimore & Washington Transit Co. of Maryland shall be required to put in operation its railway in the District of Columbia under the provisions of an act of Congress approved June 8, 1896, as amended by an act of Congress approved May 29, 1908; to the Committee on the District of Columbia.

By Mr. MOORE of Pennsylvania: Resolution (H. Res. 873) to distribute CONGRESSIONAL RECORDS credited to the fifth Pennsylvania district; to the Committee on Printing.

By Mr. KAHN: Resolution (H. Res. 874) setting a time to consider H. J. Res. 213; to the Committee on Rules.

By Mr. FOSTER of Vermont: Joint resolution (H. J. Res. 247) to pay officers and employees of the Senate and House of

Representatives their respective salaries for the month of December, 1910, on the 21st day of said month; to the Committee on Accounts.

By Mr. CRUMPACKER: Joint resolution (H. J. Res. 248) amending section 32 of the act of Congress approved July 2, 1909, providing for the Thirteenth and subsequent decennial censuses; to the Committee on the Census.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 29167) granting an increase of pension to George F. Vail; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29168) granting an increase of pension to George W. T. Ent; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 29169) granting an increase of pension to Charles E. Cole; to the Committee on Invalid Pensions.

By Mr. ANDERSON: A bill (H. R. 29170) granting an increase of pension to James McNary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29171) granting an increase of pension to Samuel B. Crall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29172) granting an increase of pension to Lewis Marka; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29173) granting an increase of pension to Samuel Zink; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29174) granting an increase of pension to Charles W. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29175) granting an increase of pension to James M. Francis; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 29176) granting a pension to James F. Lingafelter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29177) granting an increase of pension to William Ditto; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29178) to place the name of Capt. Robert E. Eddy on the officers' retired list; to the Committee on Military Affairs.

Also, a bill (H. R. 29179) granting an increase of pension to Jacob Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29180) granting an increase of pension to Mary Jewell; to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 29181) granting an increase of pension to James C. Guthrie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29182) granting an increase of pension to Joseph Richardson; to the Committee on Invalid Pensions.

By Mr. BARCLAY: A bill (H. R. 29183) granting an increase of pension to Jacob G. Drehmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29184) granting an increase of pension to Moses Yocum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29185) granting an increase of pension to William Lucas; to the Committee on Invalid Pensions.

By Mr. BARNARD: A bill (H. R. 29186) granting a pension to Rebecca Rozell; to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 29187) granting an increase of pension to Lewis Thomas; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 29188) granting an increase of pension to Isaac M. Wood; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 29189) granting an increase of pension to Sunley J. A. Thrift; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 29190) granting an increase of pension to John Sheehan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29191) granting an increase of pension to Taylor Fortner; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 29192) granting a pension to George F. Wells; to the Committee on Pensions.

Also, a bill (H. R. 29193) to correct the military record of Ralph S. Keyser; to the Committee on Naval Affairs.

By Mr. CARY: A bill (H. R. 29194) granting a pension to Anna L. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29195) granting an increase of pension to John Phelan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29196) granting an increase of pension to Jacob Mininger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29197) granting an increase of pension to John T. Bates; to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 29198) granting an increase of pension to James G. Miller; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 29199) granting a pension to Anna L. Yapple; to the Committee on Invalid Pensions.

By Mr. DUREY: A bill (H. R. 29200) granting an increase of pension to Melvin Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29201) granting an increase of pension to Wilson Smead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29202) granting an increase of pension to Benjamin Ferguson; to the Committee on Invalid Pensions.

By Mr. ELVINS: A bill (H. R. 29203) granting an increase of pension to Henry Politte; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29204) granting an increase of pension to Charles Kannawurf; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 29205) granting an increase of pension to Henry Scully; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 29206) granting an increase of pension to Isom Richey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29207) granting an increase of pension to Monta Z. Burt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29208) granting an increase of pension to Pleasant Seals; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29209) granting an increase of pension to Franklin D. Milum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29210) granting an increase of pension to George W. Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29211) granting an increase of pension to Thomas Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29212) granting an increase of pension to Theodore F. Hawley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29213) granting an increase of pension to James E. Morris; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 29214) granting an increase of pension to Amos M. Stroh; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 29215) granting an increase of pension to Charles Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29216) granting an increase of pension to Hiram Maines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29217) granting an increase of pension to Mirabin Thierry; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 29218) for the relief of Josiah Baugher; to the Committee on Military Affairs.

Also, a bill (H. R. 29219) granting an increase of pension to William B. Gist; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 29220) granting an increase of pension to Alvin S. Dean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29221) granting an increase of pension to John H. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29222) granting an increase of pension to William H. Gremis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29223) granting an increase of pension to Amos Longfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29224) granting an increase of pension to Benjamin F. Ayres; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29225) granting an increase of pension to Alvin H. Holcum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29226) granting an increase of pension to John Holvarson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29227) granting an increase of pension to Abraham Crow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29228) granting a pension to Matilda R. Kellogg; to the Committee on Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 29229) granting an increase of pension to Joseph La Porte; to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: A bill (H. R. 29230) granting a pension to Louis Miller; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 29231) granting a pension to James C. Coppedge; to the Committee on Pensions.

Also, a bill (H. R. 29232) granting an increase of pension to James W. Thomas; to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 29233) granting an increase of pension to George Wilhelm; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 29234) granting an increase of pension to John Daley; to the Committee on Pensions.

Also, a bill (H. R. 29235) granting an increase of pension to Margaret Ray; to the Committee on Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 29236) granting a pension to John Klemann; to the Committee on Pensions.

Also, a bill (H. R. 29237) granting a pension to Rosetta Graves Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29238) granting an increase of pension to Hanford N. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29239) granting an increase of pension to George Sowerwine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29240) granting an increase of pension to Richard Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29241) granting an increase of pension to James W. Ostrander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29242) granting an increase of pension to Benjamin F. Blackburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29243) granting an increase of pension to Asabel Ward; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 29244) granting an increase of pension to Orlando P. Sala; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 29245) granting a pension to William Wike and Nancy Ellen Wike; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29246) granting an increase of pension to John J. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29247) granting an increase of pension to Samuel S. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29248) granting an increase of pension to Robert Kelley; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 29249) for the relief of Elijah Patrick; to the Committee on War Claims.

By Mr. LAW: A bill (H. R. 29250) granting an increase of pension to Henry Stamm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29251) granting an increase of pension to Fanny J. Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29252) granting an increase of pension to William Long, alias William Logue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29253) granting an increase of pension to William H. Maxwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29254) granting a pension to Andrew D. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29255) granting a pension to Charles P. Ellison, alias August Bjerkren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29256) granting a pension to Harriet J. Skidmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29257) granting a pension to Henry F. Mackey; to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 29258) to amend the military record of Philip Maher; to the Committee on Military Affairs.

By Mr. McCREARY: A bill (H. R. 29259) for the relief of the brother of the late Lieut. William Hale Leamy; to the Committee on War Claims.

By Mr. McHENRY: A bill (H. R. 29260) granting an increase of pension to Jesse Metz; to the Committee on Invalid Pensions.

By Mr. McLACHLAN of California: A bill (H. R. 29261) granting an increase of pension to Edward W. Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29262) granting an increase of pension to Charles D. Robertson, alias Charles D. Harris; to the Committee on Pensions.

Also, a bill (H. R. 29263) granting an increase of pension to Daniel McLaughlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29264) granting an increase of pension to Melinda S. Lambert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29265) granting an increase of pension to Margaret L. McGrath; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29266) granting an increase of pension to James Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29267) granting an increase of pension to Ransom L. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29268) granting an increase of pension to Rufus B. Tucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29269) granting an increase of pension to James B. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29270) granting a pension to David Murphy; to the Committee on Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 29271) granting an increase of pension to John A. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29272) granting an increase of pension to Nathaniel Roberson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29273) granting an increase of pension to Robert G. Mulica; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29274) granting an increase of pension to Jacob Riblett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29275) granting an increase of pension to William W. Bowling; to the Committee on Pensions.

Also, a bill (H. R. 29276) granting an increase of pension to George O. Barnes; to the Committee on Pensions.

By Mr. MORGAN of Missouri: A bill (H. R. 29277) granting an increase of pension to Mayotta Dickinson Caffee; to the Committee on Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 29278) granting a pension to Andrew Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29279) granting a pension to James M. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29280) granting a pension to William Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29281) granting a pension to Eliza Jane Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29282) granting a pension to Martin L. Van Buren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29283) granting a pension to Homer C. Putman; to the Committee on Pensions.

Also, a bill (H. R. 29284) granting a pension to Hester A. Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29285) granting a pension to Louis Seeburger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29286) granting a pension to Mary D. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29287) granting an increase of pension to John Cooley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29288) granting an increase of pension to James Richey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29289) granting an increase of pension to Perry C. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29290) granting an increase of pension to Joseph H. Holmes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29291) granting an increase of pension to Henry Cable; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29292) granting an increase of pension to Herman E. Hadley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29293) granting an increase of pension to Cyrus P. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29294) granting an increase of pension to George B. Stoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29295) granting an increase of pension to Columbus W. Donnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29296) granting an increase of pension to John R. Massengill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29297) granting an increase of pension to Rufus M. Boring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29298) granting an increase of pension to David Lloyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29299) granting an increase of pension to James Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29300) authorizing the Secretary of the Interior to sell a certain 40-acre tract of land; to the Committee on Indian Affairs.

By Mr. MORRISON: A bill (H. R. 29301) granting an increase of pension to Nathaniel J. Dickey; to the Committee on Invalid Pensions.

By Mr. MOSS: A bill (H. R. 29302) granting an increase of pension to Felix McCabe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29303) granting a pension to Herbert A. Mills; to the Committee on Invalid Pensions.

By Mr. MOXLEY: A bill (H. R. 29304) granting an increase of pension to Martha L. Van Vleet; to the Committee on Pensions.

By Mr. NORRIS: A bill (H. R. 29305) granting an increase of pension to Nelson Briley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29306) granting an increase of pension to William J. Miller; to the Committee on Invalid Pensions.

By Mr. OLCOTT: A bill (H. R. 29307) for the relief of the son of the late Capt. William Brooke Johns; to the Committee on Claims.

Also, a bill (H. R. 29308) for the relief of the widow of the late Col. George A. Gordon; to the Committee on Claims.

By Mr. O'CONNELL: A bill (H. R. 29309) granting an increase of pension to Henry D. Moulton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29310) granting an increase of pension to John N. Fox; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 29311) granting an increase of pension to John Rose; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 29312) granting a pension to Anna Sherwood; to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 29313) granting an increase of pension to Daniel K. Wantz; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 29314) granting an increase of pension to John D. Harrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29315) granting an increase of pension to Theodore F. Colgrove; to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 29316) granting a pension to Andrew Kirkpatrick; to the Committee on Pensions.

Also, a bill (H. R. 29317) granting a pension to Julia E. Baldwin; to the Committee on Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 29318) granting an increase of pension to Joseph M. Darby; to the Committee on Invalid Pensions.

By Mr. SHARP: A bill (H. R. 29319) granting an increase of pension to John Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29320) granting an increase of pension to Byron Lilly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29321) granting an increase of pension to Samuel D. Ritz; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 29322) granting an increase of pension to Conrad Sheffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29323) granting an increase of pension to Andrew J. Ledman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29324) granting an increase of pension to Sylvester Holiday; to the Committee on Pensions.

Also, a bill (H. R. 29325) granting an increase of pension to James Hodges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29326) granting an increase of pension to Edward Sloyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29327) granting an increase of pension to James Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29328) granting an increase of pension to Henry Ruedi; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29329) granting an increase of pension to Hosea B. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29330) granting an increase of pension to Joseph Biggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29331) granting an increase of pension to Albin Farley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29332) granting an increase of pension to Napoleon Gignac; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29333) granting an increase of pension to Ira B. Homer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29334) granting an increase of pension to Philip H. Bays; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29335) granting an increase of pension to Joseph Elder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29336) granting a pension to Lewis H. Glaser; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 29337) granting an increase of pension to William J. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29338) granting an increase of pension to George W. Morris; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 29339) for the relief of Warren F. Hudson; to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 29340) to correct the military record of William Doss, alias William D. Doss; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 29341) granting an increase of pension to Byron Wilcox; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 29342) granting an increase of pension to Charles A. Clement; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29343) granting an increase of pension to Chillis W. Jenne; to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 29344) granting an increase of pension to John W. Towner; to the Committee on Invalid Pensions.

By Mr. STURGISS: A bill (H. R. 29345) granting a pension to Flora O. McGinnis; to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 29346) granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico; to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 29347) granting an increase of pension to Francis J. Truesdell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29348) granting an increase of pension to Guy Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29349) granting an increase of pension to Manville F. Parker; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 29350) granting an increase of pension to Fred F. Callender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29351) granting an increase of pension to Samuel H. Doolittle; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 29352) granting an increase of pension to Jesse P. Boone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29353) granting an increase of pension to Patrick Rogers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29354) granting an increase of pension to Robert R. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29355) granting an increase of pension to Marvin A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29356) granting an increase of pension to Samuel W. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29357) granting an increase of pension to Lewis A. Purinton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29358) granting an increase of pension to Levi M. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 29359) granting a pension to Jacob M. Cooper; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Paper to accompany bill for relief of Alfred A. Magill; to the Committee on Invalid Pensions.

Also, petition of Arthur Cranston Post, of Milan; Jaqueth Post, No. 196, of Sycamore; Wilkinson Post, No. 264, of Wharton; Stokes Post, No. 54, of Findlay; Rice and Creiglow Post, No. 112, of Attica; J. W. Ash Post, No. 679, of Kansas; Carey Post, No. 173, of Carey; and Owen Gray Post, No. 274, of Larue, Grand Army of the Republic, Department of Ohio, for increase of age pension; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: Paper to accompany bill for relief of David D. Jones; to the Committee on Invalid Pensions.

Also, petition of Stokes Post, No. 54, Grand Army of the Republic, of Findlay, Ohio, for amendment of age pension act; to the Committee on Invalid Pensions.

Also, petition of Gnadenhutten (Ohio) Post, Grand Army of the Republic, for amendment of age pension act; to the Committee on Invalid Pensions.

By Mr. BARCHFELD: Paper to accompany bill for relief of Edward M. Keating, previously referred to the Committee on Invalid Pensions; to the Committee on Pensions.

Also, papers to accompany bills for relief of Joseph Richardson and James C. Guthrie; to the Committee on Invalid Pensions.

By Mr. BARCLAY: Petition of Mountain Grange, No. 1307, Patrons of Husbandry, of Kane, Pa., for passage of Senate bill 5842; to the Committee on Agriculture.

By Mr. BARTLETT of Georgia: Petition of Farmers' Club of Spalding County, Ga., favoring New Orleans as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, petitions of Chandler Bros. and R. W. Hatcher, of Milledgeville, Ga., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. BATES: Petitions of Randolph Grange, No. 190; Union Grange, No. 764; Steuben Grange, No. 858; Hayfield Grange, No. 860; Cambridge Grange, No. 168; Hydetown Grange, No. 1239; Conneaut Grange, No. 955; Vernon Grange, No. 936; Woodcock Center Grange, No. 1034; Edinboro Grange, No. 947; Bloomfield Grange, No. 958; Frenchtown Grange, No. 1181; Bellvalley Grange, No. 1294; Watchbury Grange, No. 106; Linesville Grange, No. 694; Beaver Grange, No. 838; Athens Grange, No. 304; Center Road Grange, No. 502; Eureka Grange, No. 1324; Union Grange, No. 89; and Sparta Grange, No. 110, Patrons of Husbandry, for amendment to the oleomargarine law as per Senate bill 5842; to the Committee on Agriculture.

By Mr. BURKE of Pennsylvania: Petition of Iron City Lodge, No. 179, Brotherhood of Railway Trainmen, for repeal of tax on oleomargarine; to the Committee on Agriculture.

Also, petition of Allegheny County Medical Society, indorsing Government pure-food policy; to the Committee on Agriculture.

Also, petition of J. W. Sullivan, against the Tou Velle bill; to the Committee on the Post Office and Post Roads.

By Mr. CANDLER: Paper to accompany bill for relief of Marcus Cook; to the Committee on War Claims.

By Mr. CASSIDY: Petition of Memorial Post, No. 141, Grand Army of the Republic, of Cleveland, Ohio, for amendment of age pension act; to the Committee on Invalid Pensions.

Also, petition of Lake Seamen's Association of Masters and Shipowners and others, favoring bill for retirement of members of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. COUDREY: Papers to accompany the new Navy pay law of May 13, 1908; to the Committee on Naval Affairs.

By Mr. COOPER of Pennsylvania: Petition of Valley Grange, No. 878, Patrons of Husbandry, of Garrett, Pa., for amendment of the oleomargarine law as per Senate bill 5842; to the Committee on Agriculture.

By Mr. DAVIS: Petition of Millinery Jobbers' Association, against a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of the Tenth Minnesota Veterans' Association, favoring the National Tribune bill; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of American Institute of Homeopathy, against a national bureau of health; to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill for relief of Henry Scully; to the Committee on Invalid Pensions.

Also, petition of Canal Board of the State of New York, for charting and survey of rivers and lakes comprising a part of the canal system of New York State; to the Committee on Railways and Canals.

Also, petition of Explorers' Club of New York, favoring San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, petition of Pacific Slope Congress, favoring exemption from tolls of American vessels using the Panama Canal; to the Committee on Railways and Canals.

Also, petition of Massachusetts Civil Service Association, favoring extension of the classified service; to the Committee on Reform in the Civil Service.

By Mr. FLOYD of Arkansas: Papers to accompany bills for relief of Nathan Cox, James E. Morris, Theodore F. Hawley, and Thomas Taylor; to the Committee on Invalid Pensions.

Also, papers to accompany bills for relief of George W. Crawford, Franklin D. Millum, Pleasant Seals, Isom Richey, Monta Z. Burt, George Kidwell, James B. Smothers, and William W. Kimball; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of John Curtis; to the Committee on Military Affairs.

By Mr. FOCHT: Papers to accompany bills for relief of David M. Corbett and William E. McKinstry; to the Committee on Invalid Pensions.

By Mr. FULLER: Papers to accompany bills for relief of Charles Martin, Hiram Maines, and Mirabin Thierry; to the Committee on Invalid Pensions.

By Mr. GOULDEN: Petition of Advisory Board of Consulting Engineers of New York State, relative to charting lakes and rivers forming part of canal basin; to the Committee on Railways and Canals.

Also, petition of California Retail Grocers and Merchants' Association, against legislation to restrain naming and maintenance of retail selling prices on products; to the Committee on Interstate and Foreign Commerce.

Also, petition of William T. Stewart and others, for the Gardner bill (H. R. 12000); to the Committee on Interstate and Foreign Commerce.

By Mr. HAMLIN: Papers to accompany bills for relief of Elisha Knox, Levi Taylor, Andrew Keyler, and Thomas Young; to the Committee on Invalid Pensions.

By Mr. HAYES: Paper to accompany bill for relief of James Frank Sanderson; to the Committee on Pensions.

By Mr. HUBBARD of West Virginia: Paper to accompany bill for relief of James Davis, alias Robert J. Smith; to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: Paper to accompany bill for relief of George Wilhelm; to the Committee on Invalid Pensions.

By Mr. KNAPP: Paper to accompany bill for relief of Milo D. Heath, previously referred to the Committee on Invalid Pensions; to the Committee on Pensions.

Also, petition of the Chamber of Commerce of Dayton, Ohio, against the Tou Velle bill; to the Committee on the Post Office and Post Roads.

By Mr. LANGHAM: Petition of Rathmel (Pa.) Grange, No. 1264, favoring Senate bill 5842, to correct oleomargarine law; to the Committee on Agriculture.

By Mr. LOUD: Paper to accompany bill for relief of William Harmon, previously referred to the Committee on Invalid Pensions; to the Committee on Pensions.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Andrew J. Mullins; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: Petition of Pacific Slope Congress, favoring improvement of the merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Washington Post, No. 32, Grand Army of the Republic, of Boston, Mass., against Civil War volunteer officers' retired list bill; to the Committee on Military Affairs.

Also, petition of 84 citizens of Boston, Mass., for the Walter Smith antiprize-fight bill; to the Committee on Interstate and Foreign Commerce.

By Mr. OLCOTT: Petition of Pacific Slope Congress, for exempting from toll American vessels passing through the Panama Canal; to the Committee on Railways and Canals.

By Mr. PADGETT: Paper to accompany bill for relief of John Rose; to the Committee on Invalid Pensions.

By Mr. PRINCE: Petition of soldiers in the Quincy Soldiers' Home, against volunteer officers' retired bill; to the Committee on Military Affairs.

By Mr. SHARP: Petition of Spiegel Post, Grand Army of the Republic, of Shiloh, Ohio, for an amendment of the age pension act; to the Committee on Invalid Pensions.

By Mr. SHEFFIELD: Petition of Business Men's Association of Pawtucket, R. I., against the Tou Velle bill; to the Committee on the Post Office and Post Roads.

By Mr. SIMS: Papers to accompany bills for relief of William J. Phillips and George W. Morris; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Paper to accompany bill for relief of Warren F. Hudson; to the Committee on Claims.

By Mr. SLEMP: Paper to accompany bill for relief of William Doss; to the Committee on Military Affairs.

By Mr. SULZER: Petition of Russell Sage Foundation, department of child hygiene, favoring increase of appropriations for educational work; to the Committee on Education.

By Mr. TILSON: Petition of Board of Education of New Hampshire, against passage of the Tou Velle bill; to the Committee on Education.

SENATE.

WEDNESDAY, December 14, 1910.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The VICE PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had passed the following bills:

S. 5651. An act to amend an act entitled "An act to incorporate the Washington Sanitary Housing Co.," approved April 23, 1904; and

S. 6910. An act to provide for the extension of Reno Road, in the District of Columbia.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 20875. An act to authorize certain changes in the permanent system of highways, District of Columbia;

H. R. 21331. An act for the purchase of land for widening Park Road, in the District of Columbia;

H. R. 22688. An act to authorize the extension of Thirteenth Street NW. from its present terminus of Madison Street to Piney Branch Road;

H. R. 24459. An act to provide for lighting vehicles in the District of Columbia; and

H. R. 29157. An act making appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1912, and for other purposes.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented the petition of Samuel F. McCloud, of Long Branch, N. J., praying that pensions be granted to ex-Union prisoners of war, which was referred to the Committee on Pensions.

Mr. JONES presented the petition of J. Edward Buckley, of Chicago, Ill., praying that an investigation be made of certain charges brought by him, and also that authority be given to a committee of the Senate to investigate and consider general conditions of American citizens in the Republic of Mexico, railroad men, etc., which was referred to the Committee on Foreign Relations.

Mr. SMOOT presented a petition of Local Lodge No. 1451, Modern Brotherhood of America, of Salt Lake City, Utah, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. SCOTT (for Mr. ELKINS) presented petitions of sundry citizens and business firms of Wheeling and Montgomery, W. Va., praying that San Francisco, Cal., be selected as the site for holding the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

He also (for Mr. ELKINS) presented a petition of the H. P. Moss Bookstore Co., of Parkersburg, W. Va., praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. ELKINS) presented petitions of the Board of Trade of Kingwood, the Board of Trade of St. Marys, and the Fanciers' Club of Charleston, all in the State of West Virginia, praying that New Orleans be selected as the site for holding the proposed Panama Canal Exposition, which were referred to the Committee on Industrial Expositions.

He also (for Mr. ELKINS) presented a petition of Blennerhassett Lodge, No. 2159, Modern Brotherhood of America, of Parkersburg, W. Va., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Farmers' Institute of Roney's Point, W. Va., praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. ELKINS) presented affidavits in support of the bill (S. 8031) granting an increase of pension to William T. McBee, which were referred to the Committee on Pensions.

He also (for Mr. ELKINS) presented an affidavit in support of the bill (S. 8298) granting a pension to Albert L. Graves, which was referred to the Committee on Pensions.

He also (for Mr. ELKINS) presented an affidavit in support of the bill (S. 1498) granting a pension to Samuel B. Swartz, which was referred to the Committee on Pensions.

He also (for Mr. ELKINS) presented an affidavit in support of the bill (S. 5327) granting a pension to C. H. Payne, jr., which was referred to the Committee on Pensions.

Mr. BRANDEGEE presented a petition of Local Union No. 15, Hatmakers' Association, of South Norwalk, Conn., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Union No. 15, Hatmakers' Association, of South Norwalk, Conn., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

Mr. LA FOLLETTE presented a petition of the mayor and board of aldermen of the city of Manitowoc, Wis., praying that an appropriation be made for the construction of an inner harbor of refuge at that city, which was referred to the Committee on Commerce.

He also presented petitions of Local Camp No. 126, Woodmen of the World, of Portage; of Genoa Lodge, No. 1190, of Genoa; of Cedar Lodge, No. 1012, of Saxon; of Edgar Lodge, No. 1220, of Edgar; of Unity Lodge, No. 1672, of New London; of Eau Claire Lodge, No. 1365, of Eau Claire; of Waterloo Lodge, No. 1210, of Waterloo; of Fairview Lodge, No. 1138, of Knowlton; of Oconto Falls Lodge, No. 1146, of Oconto Falls; of Forsyth Lodge, No. 1262, of Superior; of Townsend Lodge, No. 1712, of Townsend; of Milwaukee Lodge, No. 1374, of Milwaukee; of Island City Lodge, No. 1216, of Cumberland; of Maple Leaf Lodge, No. 1178, of Clear Lake; of West Allis Lodge, No. 1341, of West Allis; of North Star Lodge, No. 1245, of Frederic; of Twin River Lodge, No. 1090, of Portage; and of Fox River Lodge, No. 1576, of Appleton, all of the Modern Brotherhood of America, in the State of Wisconsin, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mails as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. CURTIS presented a petition of Department Encampment, Grand Army of the Republic, at Hutchinson, Kans., pray-